

STAFFORD COUNTY PLANNING COMMISSION

July 21, 2010

The meeting of the Stafford County Planning Commission of Wednesday, July 21, 2010, was called to order at 6:32 p.m. by Chairman Gordon Howard in the Board of Supervisors Chambers of the County Administrative Center.

MEMBERS PRESENT: Howard, Fields, Rhodes, Hazard, Mitchell, Kirkman and Hiron

MEMBERS ABSENT: None

STAFF PRESENT: Baker, Smith, Stinnette, Zuraf, Bullington and Hess

DECLARATIONS OF DISQUALIFICATION

Mr. Howard: Are there any declarations of disqualification for this evening? Hearing none we will move on to the unfinished business. This meeting, I will just remind everyone, was primarily scheduled to really just spend the whole meeting on the Comprehensive Plan draft and give everyone time to ask questions, listen to staff, get some perspective from staff as to some of the changes, and understand it. And perhaps make some additional suggestions. So with that I will turn the podium over to Mr. Zuraf and we can get right into it.

UNFINISHED BUSINESS

1. Amendments to the Comprehensive Plan (**Time Limit: September 7, 2010**) (**In Comp Plan Committee**) (**Deferred to July 21, 2010**)

Mr. Zuraf: Okay, good evening Mr. Chairman and members of the Planning Commission. I am here to give you a brief update on what we have provided you and where we were at the last meeting. At the last Planning Commission meeting on July 7th, there was an initial presentation staff provided on the latest draft of the Comprehensive Plan dated June 14th, 2010. The Commission provided some comments. We did our best to try to rehash those comments and provide as many responses to those as possible. I will just go through those briefly. The first comment that we have itemized was regarding the request to kind of discuss the basis for including the Berea Parkway and the Widewater Parkway in the draft Comprehensive Plan. Some of the response to that and history to that, during this process the Comp Plan Committee and the Transportation Committee of the Planning Commission did want the Transportation Plan to be identified in this Plan and also the transportation model to be discussed so the public had an understanding of some potential road improvements that may occur. They are identified and included towards the end of Chapter 3 in the plan. The Transportation Committee, during their work earlier this year and actually last year, working on revisions to the Transportation Plan, asked that a transportation model be run without Berea Parkway and without Widewater Parkway. That was based on the last version of the Land Use Plan, the 2009 version. Staff notes that this latest version of the Land Use Plan is different than that and the transportation model will most likely be rerun based on this Plan. But the bottom line was that these roadways are included because they are elements of the current Transportation Plan, but that may be amended as we go through the more detailed transportation modeling and revisions to the Transportation Plan. Also, regarding the Widewater Parkway, that is kind of identified as one of the components of the Stafford Station Urban Area, as identified that would be needed to serve that area. The second point was on the Widewater Urban Area, kind of the request for the rezoning and background of that area. That Widewater area is known as the Stafford Station Urban Area. The joint committee of Board and Planning Commission

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members, they made recommendations as to the location of several Urban Development Areas; nine of them in total and that got passed on the Planning Commission subcommittee to incorporate into the Plan. Stafford Station is one of those nine urban areas. It is part of the attempt to identify and satisfy the State Code requirements for designating Urban Development Areas in the County on our Comprehensive Plan. The basis for the Stafford Station Urban Area was to provide additional commuter access to the VRE and attempt to minimize impacts to the I-95 corridor by attempting to provide transit-oriented development. Third point...

Ms. Kirkman: Excuse Mr. Chair. I have some questions regarding that.

Mr. Howard: Sure, Ms. Kirkman.

Ms. Kirkman: Mr. Zuraf, first let me ask about the last statement you made, that it was developed with the idea of developing the VRE station and minimizing impacts to the I-95 corridor. If that is the case, why is the Widewater Parkway with an extension to I-95 necessary?

Mr. Zuraf: It goes out to Route 1 and there are still a lot of the other schools, there is a high school that would be needed to be accessed that is not called for within some of the details of the Stafford Station. In other services, I think it is understood that the community... the Stafford Station is not going to wholly rely on the rail and there is still going to be road transportation needs that likely would not be provided on the existing roads out to that place in Widewater.

Ms. Kirkman: And how is it decided that 3,300 dwelling units would be assigned to that UDA?

Mr. Zuraf: That was provided to... I can't speak to that specific number. I do know the general concepts are explained in the write-up where it is envisioned that there is a town center and that town center follows certain concepts of more higher density and a certain number of units are allocated within more of a town center concept. Then, it does identify there will likely be residential enclaves outside of that of typically 250 acres that would provide... or have to identify or provide a thousand units.

Ms. Kirkman: Actually I am interested in the specific number and how that specific number was assigned to this UDA. Who holds that information?

Mr. Zuraf: I would have to defer to... probably to the Transportation... the joint subcommittee. I did not come up with that specific number.

Ms. Kirkman: So someone gave it to you?

Mr. Zuraf: Yes.

Ms. Kirkman: And who was that?

Mr. Zuraf: That was forwarded to the Planning Commission subcommittee by the joint Board/Planning Commission subcommittee.

Ms. Kirkman: And you attended those meetings?

Mr. Zuraf: I attended one of them.

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Ms. Kirkman: Okay, so their meetings you did not attend?

Mr. Zuraf: There was one meeting that I did not attend.

Ms. Kirkman: Was that the first meeting?

Mr. Zuraf: I believe it was.

Ms. Kirkman: Okay, alright. Now this is going in an area that right now is outside of the Urban Services Area, is that correct?

Mr. Zuraf: Correct.

Ms. Kirkman: And is there any significant development on those parcels now? So is this any type of redevelopment?

Mr. Zuraf: No it is not.

Ms. Kirkman: Okay, thank you.

Mr. Fields: Mr. Chairman?

Mr. Howard: Mr. Fields.

Mr. Fields: When we were doing the... in the Transportation Committee, when we were looking at the Transportation Plan and the rail station at Widewater came up, one of the reasons we recommended a Transportation Plan that did not include the station was my understanding that VRE's CIP and Master Plan did not really include a rail station there at Widewater. Is that still correct to the best of your knowledge?

Mr. Zuraf: I would have to check on that.

Mr. Fields: Okay, so I... I know, I understand for the sake of planning you have to sometimes think long term and there are many details that go into it but, I guess my concern would be, if VRE does not see... I don't know. Is it envisioned, and forgive me if that detail is in here and I have not read it, is it envisioned in the UDA concept that the construction, the entire construction of the rail station would be borne by the person, individual or group of individuals that developed that UDA, or would they still be relying on VRE to actually construct the station?

Mr. Zuraf: I believe it is the intent that it would be borne by the developer or developers in that UDA.

Mr. Field: We have not seen that before. How does that work? I guess in Spotsylvania they are doing the Harrison's Crossing station, right? They have approved a new station as they have joined VRE?

Mr. Zuraf: I understand they are working on one.

Mr. Fields: Working on one. Now is that going to be funded by VRE or privately by development? I guess I am just wondering with the mechanisms can you just, without VRE and CSX's inclusion into their master planning process can you just willy... I am assuming you can't just willy-nilly build a rail

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station on a privately owned rail line. So, I am just wondering how that was... if you have any information in the discussion in the detail and how that was envisioned to occur. If funded by the developer, is that then... how is that worked into... I mean, does VRE not have it in their master plan, which is to the best of my understanding or at least the last time I was informed of that. If that is different, I am certainly happy to stand corrected. Is their lack of inclusion of the VRE... of the Widewater Station in their master plan a result of lack of desire to see it built or feeling that it is not necessary, or simply a fiscal issue that they just don't see that they are going to have the money to do it? Those are significantly different answers. If they think it is something that could be used, they don't have the money to build it, then I can see private money building it. If VRE has decided that they don't see that the utilization or the location, if effective to their master plan or their transportation model, then its inclusion as the anchor for a whole UDA seems to me a little bit different. It's validity of anchoring... because this UDA is in essence anchored around this concept of a rail station there, right?

Mr. Zuraf: Correct.

Mr. Fields: Right. Is there a way to get an answer to those questions?

Mrs. Baker: Mr. Chairman, Mr. Fields, if I might. On page 3-20 of the Comprehensive Plan it does discuss that any new infrastructure requirements are the result of the new TND designed development and would be the responsibility of the developer or developers of Stafford Station.

Mr. Fields: So we know theoretically that would be borne by the developer which would be... what? How much does it cost to build a rail station?

Mrs. Baker: I don't know.

Mr. Fields: A lot probably.

Ms. Kirkman: As a follow up question, is there... has the developer committed to paying Stafford's subsidy for VRE for each of those passengers that gets on at that station?

Mr. Zuraf: I am not familiar with any discussion with any developer.

Ms. Kirkman: Has anybody talked about this with VRE? Because I understand that right now one of their biggest limiters is storage capacity up at Union Station for cars. The latterly cannot add more cars because there is no place to store them mid-day. Has anybody spoken with VRE about the feasibility of adding either this rail station or the one that is on the map in Southern Stafford?

Mr. Zuraf: No, we have not.

Ms. Kirkman: Thank you.

Mr. Fields: So you can... Mr. Chairman, just a quick thought. So you can get an answer to me at some point about VRE's... if it is still not in VRE's master plan, the reason for their lack of inclusion.

Mr. Zuraf: Yes, we will contact VRE and get some history and information on this.

Mr. Fields: Thank you. I appreciate that.

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Mr. Howard: I think the question is, is it in the VRE plan and if it is not, what is the logic that VRE is applying to that answer?

Ms. Kirkman: Mr. Chair, I would like to know VRE's capacity, both in terms of car storage up at the northern end of the line as well as additional space on the tracks themselves to handle additional volumes of trains.

Mr. Howard: We should also understand, Mr. Zuraf, what is VRE's twenty year plan as well. I think we are looking at a ten to twenty year plan here, so we want to understand from VRE what they are forecasting in terms of increase in capacity. I am sure there is something out there and we should understand that.

Mr. Zuraf: Okay. Item 3 in the memo dealt with the request to get some information on identifying the amount of impervious area versus open area within the designated Urban Development Areas. We have provided a table with that information. Item 4...

Ms. Kirkman: Excuse me; I have a question about that. So it looks like a little over ten percent of the acreage in the UDA is impervious area with the remaining being in green area. So I guess my question is, all of this is framed in terms of smart growth. How is building dense residential and commercial development in green space smart growth?

Mr. Zuraf: Well, I think you have some areas that are, like in redevelopment areas, where that would be redevelopment. I know you have in the first three Urban Development Areas, those are associated... the first three Urban Development Areas are associated with three of the County's redevelopment areas, so you do have a greater amount of impervious area in those locations. And as a percentage, the remaining six areas are generally along or oriented along the I-95 corridor so you're limiting the outward expansion of growth in the County. It is also clustering a lot of the projected growth within and closer into the existing roadway networks. Some of those are associated with railway in an attempt to utilize the transit that is located in the County.

Ms. Kirkman: So it's smart... from the perspective that it was just presented, it is smart growth because it puts the houses near roads and commuter rails.

Mr. Zuraf: Yes.

Ms. Kirkman: I thought smart growth was where you actually had houses where people were going to work?

Mr. Zuraf: That is part of it, too, and that is also an element of the Urban Development Area recommendations. Some of their areas are a significant amount of commercial that is recommended. So yes, some of their areas there are significant amounts of commercial, but in other areas it is more residentially oriented. So there is... it is not every single Urban Area is not alike. You have got some that are a greater mix or a greater amount of commercial and some are more focused on being a transit; for example, the Leeland Station Urban Development Area. That does not have a great amount of commercial, but it does take advantage of the transit. Okay, item 4 is the issue of... there was a request to provide three comparison maps that compared the Urban Service Area that was identified on the current Land Use Plan, the 2009 draft Plan and the latest 2010 draft Plan. So, we provided three different maps that provide those comparisons and then provided a chart that identified the amount of

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land inside the growth; Urban Service Area versus outside of the Urban Service Area on each of those maps.

Mr. Hirons: Mr. Chairman, I have a quick question.

Mr. Howard: Yes, Mr. Hirons.

Mr. Hirons: Mr. Zuraf, the table section for the '09 proposed plan. Does that include the areas that were designated as future USA?

Mr. Zuraf: Yes, that is the third column within that table. It is identified as inside the 2019 USA; those were the phase expansion areas.

Mr. Hirons: Okay, thank you.

Ms. Kirkman: Mr. Chair?

Mr. Howard: Yes, Ms. Kirkman.

Ms. Kirkman: So to clarify which... when you say the 5-19-09 Comp Plan, this is not the one that was originally passed by the Planning Commission to the Board, is that correct?

Mr. Zuraf: Correct.

Ms. Kirkman: So this is the one where... after the Board added additional areas to the Urban Service Area?

Mr. Zuraf: This reflects... this is the version that the Board amended.

Ms. Kirkman: Okay. But what... the Board has commissioned a study, what are they using as their... which draft are they using as their comparative?

Mr. Zuraf: They are comparing the 2008 Planning Commission version to this latest draft.

Ms. Kirkman: So the one that the Planning Commission originally passed up.

Mr. Zuraf: Yes.

Ms. Kirkman: Could we get the acreage numbers for that one?

Mr. Zuraf: Yeah, we can do that.

Ms. Kirkman: Okay, thank you. Mr. Zuraf, just so I know how to... how should I refer to that draft so that we will know...

Mr. Zuraf: Say the 2008 draft.

Ms. Kirkman: 2008, okay.

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Mrs. Baker: December 17, 2008 was the date, I believe.

Mr. Zuraf: December 17, 2008.

Ms. Kirkman: December 17, thank you Ms. Baker.

Mr. Zuraf: Also, there was a request to see the 2009 Land Use Plan build-out data and we've provided that as attachment 2 in your package. That was the last... the previous draft of the Land Use Plan. Item 6, there was a request to provide the basis for the changes in the cost of growth data that were made within the latest changes. That information is within Chapter 4 and so staff has, over several pages, identified the changes that are identified within each of those facility types and how those changes affected the overall change and the ultimate cost. That is identified in Chapter 4. Item 7 is a request to provide the methodology behind the growth projection tables. With that item, we did provide some initial background on that. On the methodology, staff is still working on the more detailed methodology that can be included within the text. But we can get into describing some of that here tonight if you do want to hear that information.

Ms. Kirkman: Mr. Chair, I had requested this information and I have some questions about it.

Mr. Howard: Okay, Ms. Kirkman.

Ms. Kirkman: So, yes, I would like additional information about the methodology and, specifically, if you could coordinate with the committee about what the methodology was for deciding how many units would go in each UDA. So, I'm assuming there is a methodology to that. And if you are not aware of the details of that methodology, if you could get in touch with the person who holds that information or the committee that holds that information. If I am understanding correctly what you've written here, the projections have nothing to do with the current zoning or the land use on the map. Instead it's a population growth number that was just then divided up and distributed in the Urban Services... I mean in the Urban Development Areas. Is that correct?

Mr. Zuraf: Right.

Ms. Kirkman: So it just took the total projected growth and by some black box methodology, which you will get to us, divided up that growth across the nine UDAs.

Mr. Zuraf: Yes. Some of the basis, I know for the three redevelopment areas, the units are fall back to the redevelopment plans. There were units projected within the redevelopment plans for UDAs one through three.

Ms. Kirkman: Sure, but those UDAs actually have the smallest acreage, total acreage of any of the UDAs. I am more interested in the remaining six.

Mr. Zuraf: I will have to research more of the basis for that. Some of it may be tied to the size of the UDAs, but we will have to get that information to you.

Ms. Kirkman: Okay, thank you.

Mr. Fields: Mr. Chair?

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Mr. Howard: Yes, Mr. Fields.

Mr. Fields: Of course this number comes up in lots of different places. I just... it says that it assumes future residential growth of eighty percent inside the USA future, residential growth twenty percent outside the USA. While a noble idea, I don't know... can you explain to me how in the world that you... you know, we've been struggling with this for ten years. The market creates product for people to buy where there is a demand for it and an opportunity for it, whether it's inside or outside the USA. It has gone outside the USA a lot because for a long... for a brief... during the housing bubble money was extremely available and extremely cheap and people were able to buy. You can build on a three acre lot by-right where you don't have to pay any proffers or anything else and people can probably, regretfully now, leverage their entire world to think that they can afford a seven or eight hundred thousand dollar house. You know, you had a lot of people building on three acre lots but that wasn't a result of any specific, though some people would argue differently, I don't think it was really a result of any particular policy other than the fact that water runs down hill. It was the most profitable way to supply latent demand for housing in Stafford, or one of the ways. And so there was a... it didn't used to be that way, the housing that went inside the Urban Services Area because there was so much vested during the last ten years, virtually none of it paid proffers because it was all zoned long before the proffer guidelines were put up anywhere near recovering of the actual cost of growth. So, even that argument that it went out there because it was too expensive doesn't really apply other than that subdivisions require more infrastructure like curb and gutter and sidewalks and things like that, water and sewer construction, etcetera, etcetera. But, you know, how in the world... you know, to assume a projection, I don't know how in the world you assume that it's going to flow eighty/twenty. There's no mechanism for that.

Mr. Zuraf: Well I think...

Mr. Fields: Or maybe I'm not aware of one.

Mr. Zuraf: I think that when the committee was working through the changes, I think they felt that it would be good to set a goal to try to direct the growth into the Urban Service Area. And the way that can happen is through means that are discussed in some of the policies with Transfer of Development Rights. If the Urban Development Areas are developed in a way that will truly allow the growth to occur there, then that could potentially happen. And the committee overall just felt that there should be a goal that we strive for, and not just to kind of be silent about it; then you are almost letting it happen. That was kind of the basis for that.

Mr. Howard: Mr. Fields, one of the benefits of being together as a group like this, if there's an alternative suggestion in how to achieve that, then that would be good to put on the table. To just sit here and talk about the last ten years or twenty years and, you know, I'm not sure that gets us where we want to be.

Mr. Fields: Well, I guess what I would offer with that... you know, the goal is great and to be stated as a goal, there is really nothing inherently wrong with it. To base projections, I think, on it may be a little bit... may be somewhat overly optimistic because it is a goal. There is no particular mechanism when absent... what's called an adequate public facilities authority or ability, which does not exist in Virginia, it exists in many other states, where you actually allocate the number of building permits being allowed to be pulled every year, project by project, region by region, like they do, for example, in Maryland. Absent that authority, there is really no way for a county to enforce; you can certainly set a goal, you can try to encourage people... I guess I am just saying that I don't want to... I think the

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goal is fine. Do I have an alternative mechanism? No. In the Commonwealth of Virginia this is one of the problems; you really don't have the mechanism to focus growth other than to state it as a goal.

Mr. Howard: Honestly, I appreciate that answer and I think you are a hundred percent right. It's something that handcuffs every county within the Commonwealth of Virginia and it is difficult, to say the least. But the whole Comprehensive Plan is a goal. I mean, it's directionally... you know, it is a goal and it's something that becomes a guiding principle and a guiding document in total that the County would like to shoot for in terms of where development should occur, why it should occur, how it should occur and in what form it should occur. So, it's all directional; it's a big goal, that's what it is.

Mrs. Hazard: Mr. Chair?

Mr. Howard: Yes, Mrs. Hazard.

Mrs. Hazard: When we did work on this policy, 1.2-11, we did talk at length about it and I think we summarized that pretty well in saying if you don't have a goal you have nothing to shoot for. But the second part of that policy statement I think is very important; that the progress toward this policy should be evaluated on an annual basis through the tracking of building permit activity. Part of my concern with any plan is the implementation, and I think we have tried to put some things in there so that maybe as a county, we can begin to be better at tracking the information that we have here. I am not saying that it's perfect, but that was part of the reason that the second part of that was added, so we can start to say if we are working towards goals then we need to have a mechanism for finding out whether we're meeting them. I just wanted to share that.

Mr. Howard: Thank you.

Ms. Kirkman: Mr. Chair, I have some follow-up questions.

Mr. Howard: Ms. Kirkman.

Ms. Kirkman: So, Mr. Zuraf, you speak of these as being projections, twenty percent in the rural areas and eighty percent in the Urban Service Area. Are those projections based on any kind of science or modeling that was done?

Mr. Zuraf: No, the eighty percent, the eighty/twenty ratio, was based on, and I don't have the information with me, but during the discussion we went back and looked up some prior historical information as to what amount of growth was occurring inside versus out, and used that historical information as a basis for coming up with this goal. It's definitely not based on any type of modeling and parcel by parcel build-out modeling.

Ms. Kirkman: Could we get that historical information? And then the twenty percent in the agricultural areas, is that more or less than the number of units that can be built by-right as of today?

Mr. Zuraf: That would be less.

Ms. Kirkman: Less?

Mr. Zuraf: Yes.

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Ms. Kirkman: So, I have a question for the attorney. If the twenty percent goal has been met in the agricultural areas and somebody comes in with a by-right subdivision plan, can that subdivision plan be denied solely on the basis that it would create more than the twenty percent growth?

Mr. Smith: No, I don't think it could be denied solely based on that. Of course, there are many factors that would go into consideration of rezoning.

Ms. Kirkman: But I was asking about a by-right subdivision plan, not a rezoning application. But since you raised the rezoning issue, if in the Urban Services Area someone submitted a rezoning application that was consistent with the Urban Development Area designation and agreed to mitigate all the impacts and met all the proffer requests of the County, could that rezoning application be defensibly denied solely based on the fact that the eighty percent growth had already been met in the Urban Services Area?

Mr. Smith: I don't think I can answer that on a hypothetical without more specifics and especially because the UDAs are a new legislative creation. I don't know how the... if that were something that happened, if it were denied and it went to the courts, how the courts would view that since the UDAs haven't been addressed yet.

Ms. Kirkman: Well, let's take a different situation then. So let's just assume there is a hundred acres that's designated on the Comprehensive Land Use Map as M-1, Industrial. There are two fifty acre parcels in that lot, both currently zoned Agricultural. One owner comes in and says I want to rezone my agricultural land to M-1; it's consistent with the land use designation, they mitigate all the proffers, the Board approves the rezoning. Then the second owner comes in and says hey, I want to do what my neighbor did, I want to rezone too. And the Board decides to deny it solely because they've decided they have enough in one. Would that potentially be seen as arbitrary and capricious decision-making on the part of the Board?

Mr. Smith: Well, rezoning is a legislative decision by the Board so they could consider all the factors that are before them and I think it depends on the specific rezoning...

Mr. Rhodes: Point of order Mr. Chairman.

Ms. Kirkman: Okay, thank you.

Mr. Howard: Yes, Mr. Rhodes.

Mr. Rhodes: There are so many different permutations. I think if we have a concern here we should raise what the concern is versus going through multiple hypothetical possible variations of every zoning area we have in the County. If there's a concern, let's express the concern and possibly move on, Mr. Chairman.

Mr. Howard: Thank you. Mr. Zuraf, how do the goals in this Plan differ from the prior version of the Plan? The obvious one is the eighty/twenty, but what are the other differences in terms of some of the zoning and land use? I don't mean in total because you gave us the different overlays, that's not what I'm asking, we will get into that. But from just a high level 30,000 foot view, would the questions Ms. Kirkman raised be similar in the other plan should certain goals and objectives have been met. I think what's very different in this Plan is the TDR or the desire to have the TDR as part of the Comp Plan.

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Mr. Zuraf: The prior draft of the plan are you referring to?

Mr. Howard: Yes.

Mr. Zuraf: Comparison with that? Well, the prior draft of the plan did not have a specific goal for targeting the amount of growth in versus out, so it was more so based on what the Land Use Plan called for.

Mr. Howard: Right, and just to remind people, the Transfer of Development Rights... we all recognize that the sprawl just cannot continue in the County and we have... there's too much that's occurred and it's very difficult for the County to manage that. So one of the goals in the eighty/twenty was to have eighty percent of the development take place in the UDAs which are part of the USA and there is a map that exists, I don't know if, and maybe Mr. Zuraf, we can get this for the next time, I have a version but I don't think it's the most updated. But it's the water and sewer system map to the proposed USA. Maybe we can get that; because the prior one, you would be surprised at how many water and sewer lines actually exist in the County where you didn't think they would. And it's not as much of a hardship and I would also challenge the whole Commission, if there is an alternative suggestion, I would love to hear it because that's what today is about. If there is a different way of thinking about the methodology or a different proposal that might achieve what the County is looking to achieve, we should all vet that, talk through that and understand it.

Mr. Zuraf: So, for clarification your request is to provide a map with water and sewer lines overlaid on top of the Land Use Map?

Mr. Howard: Yes. Well, I think you would just have to overlay the water and sewer system on the proposed Urban Service Area.

Ms. Kirkman: Mr. Chair, I do have a suggestion for how to manage growth in the County. It's called the December 2008 draft of the Comprehensive Plan and what that Comprehensive Plan did that was very different than what we have in front of us today was it assumed that every landowner was going to do everything they could to make the highest and best use of their land. So it assigned building projections based on either the current zoning of the land or the proposed future use of the land based on whichever use had the highest growth potential. We then pulled in the Urban Services Areas and tightened up the UDAs in order to achieve the minimum amount of growth needed to accommodate the projected growth. One of the very important distinctions is that with the UDAs you can do one of two things, you can up or you can go out. The former Comprehensive Plan went up; it called for residential densities of ten units per acre and it located the residential growth in just three parts of the County which are already within the Urban Services Area. Unlike the current Comprehensive Plan which goes out, and it has what is essentially a suburban growth projection of four units per acre spread out over nine UDAs, several thousands of acres of which are outside of the current Urban Services Area. So yes Mr. Chair I do believe there is a solution to accomplish this that is based on more than picking numbers out of air and it is called the December 2008 draft of the Comprehensive Plan.

Mr. Howard: Okay, thank you. One of the goals and objectives also in the current version is to be able to accommodate the volume of traffic in that that appeared to be an opportunity in the prior plan and that's one of the reasons to select the nine versus the three. It's not technically spreading it out, it's trying to keep it along a certain corridor within the County which is leveraging I-95, Route 1 and certainly the rails. So that was a goal and within those UDAs to try and create another mode of

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transportation which ultimately would probably be the bus line that exists today or a variation of that down the road where you'd have interconnections between each UDA in the form of some type of mass transit, which we don't have today. And again, the mixed use component of these UDAs was a very, very big factor in the methodology to include, I would add, even looking at form based code in other types of codes and zoning that would encourage and not just focus solely on one type of use but mixed use. Those were some of the thoughts that went into the entire plan. Okay Mr. Zuraf.

Mr. Zuraf: Okay, I think we are on item 8, which was a request to find out if we could run the transportation model against this latest plan. Staff has found out that a new contract with the vendor who developed the model would be needed. There are some funds available but staff is still checking and trying to get in touch with the vendor to determine what the cost will be to run that model.

Mr. Howard: When do you think you will know that?

Mrs. Baker: We haven't had a response yet.

Mr. Howard: Okay.

Ms. Kirkman: So, Mr. Zuraf, just to clarify then there has been no modeling done at the impact of these fairly radical changes and this dispersion of these UDAs throughout the County? There has been no transportation modeling done at that, is that correct?

Mr. Zuraf: Correct.

Ms. Kirkman: Now, I thought we had, under the previous Comprehensive Plan, in fact I remember spending many an evening up here with my colleagues looking at runs that were done through the transportation model identified sections that would need additional capacity under the December 2008 draft. In fact, weren't those models then used as part of the basis for the Transportation Bond Referendum?

Mr. Zuraf: I'd have to check on that.

Ms. Kirkman: Could you do that? Thank you.

Mr. Fields: Ms. Kirkman, Mr. Chairman, as sort of response to that... and Mr. Rhodes help me, the Transportation Committee work... the runs of the model on previous drafts I'm not sure included the UDAs. That would be a question that I would have. Do you remember, Mr. Rhodes?

Mr. Howard: My recollection, they did not but I want Mr. Zuraf to check; I'm not positive.

Mr. Fields: Yeah, and I was just offering that as a possible thing to check on. I think they might have not included the UDAs in that modeling, but I wanted to check on that.

Mr. Howard: My recollection is that the modeling actually started before some of the UDAs were finalized in the draft.

Ms. Kirkman: They did, but I actually met with Sarah and Fulton a number of times on those models and I do believe there was one run during the summer that was based on the draft of the Comprehensive Plan.

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Mr. Howard: Well, Mr. Zuraf will find out.

Mr. Zuraf: And also to add on to this, as a reminder we have the Urban Development Area grant that was awarded to the County through VDOT and the consultant that was hired on has a team, including transportation subconsultants, that will provide some level of transportation review and evaluation and recommendations on the plan.

Mr. Howard: That will be great.

Mr. Zuraf: Item 9 was a request for utilities staff to be present and Dale Allen with the Utilities Department is here tonight, if you have questions of him.

Mr. Fields: Now would be the time then?

Mr. Howard: We can bring Mr. Allen up and give Mr. Zuraf a break. Mr. Allen, thank you for attending this evening.

Mr. Allen: It is always a pleasure to be here with the Planning Commission. Dale Allen, Assistant Director for Engineering, Department of Utilities.

Mr. Fields: I have a couple of questions if nobody else does.

Mr. Howard: Mr. Fields.

Mr. Fields: Mr. Allen, good to see you as always. Just a couple of questions on capacity and orientation, just to get us all up to speed. Where are we right now currently, the snap shot in time, the status quo? Are we consuming at pretty close or at capacity, water treatment capacity?

Mr. Allen: We are very close. We've had several very high days in the last couple of weeks so I would say in general, yes we are close to our treatment capacity.

Mr. Fields: It was... of course, the slow down in growth came at a fortuitous time. Because I know in my last couple of years on the Board, we were very close to actually confronting a situation that hadn't been confronted before where the quote unquote available taps that were there in theory could have been exceeded if the pre-existing rate of residential growth had continued before Rocky Pen came on line. Do you know what the current availability is out there, how many taps are currently available before Rocky Pen comes online?

Mr. Allen: I don't have an exact number but it is in the one thousand... less than two thousand.

Mr. Fields: So we are talking under what Stafford experienced in the early part of the two thousands, less than a year's worth of new growth before we would actually confront the idea that we did not have the capacity to allow new construction.

Mr. Allen: We had peak years up to fifteen hundred taps a year, so yes.

Mr. Fields: Right.

Mr. Allen: If we continued on the historic rate at the peak years, we would be out.

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Mr. Fields: Now when is Rocky Pen slated to be online... actually producing water into the system?

Mr. Allen: The current schedule is spring of 2013.

Mr. Fields: 2013.

Mr. Allen: Yes.

Mr. Fields: So at this current rate, any of these UDAs... most of these UDAs or actually almost anything envisioned, but certainly I mean even all the by-right that's out there but certainly the... it would be almost impossible to think about bringing one of these UDAs online until at least after Rocky Pen because of the available taps would be, most of these would use almost all the existing capacity. Would you allow... would it be... I think we talked about this before and I am not trying... I am not creating an argument, I am just... because I know it is a difficult questions to answer and you kind of have to cross that bridge when you come to it. But I remember also, would the Utilities Department... if we got to the point where there was still demand, still demand, still demand, if somebody came in for a subdivision and said I'm going to build this subdivision and we're going to use, it would be probably excess, but we're going to use a thousand taps and we're going to build it all this year, leaving only a handful for the rest of the County. Would the Utilities Department allow first come... was it completely first-come-first-served or would they start to a portion across geographical or other factors, rationing of availability?

Mr. Allen: At the present time there is no method for rationing taps. They would be sold on a first-come-first-served basis.

Mr. Fields: Would you be able to... so okay. So it would really just be first-come-first-served if somebody came with a UDA before the 2013 and there were the available taps for that size, they could get them.

Mr. Allen: Having said that, we sell one tap per parcel. So if someone comes in with a large parcel of land and wants five hundred taps, we are not going to sell them more than one until it is subdivided.

Mr. Fields: Sure, and actually under construction, right? Is the tap sold when you actually begin the building permit process?

Mr. Allen: The tap can be sold at anytime that the water is reasonably available and there is a parcel existing.

Mr. Fields: Can it be sold way... I can't remember, can it actually be sold way in advance of the actual construction on the parcel?

Mr. Allen: Yes.

Mr. Fields: Okay.

Mr. Allen: Now, the capacity isn't reserved until a building permit is issued.

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Mr. Fields: Do you know how much of that, how much current capacity is actually reserved? When you say you only have x number of taps left, how many of the taps that have been sold are still yet to be utilized? Do you know?

Mr. Allen: There is a fairly small number.

Mr. Fields: Most people though... because the availability is not cheap. So economics generally tends to mitigate against people hoarding taps far in advance of necessity?

Mr. Allen: That's correct, and there is a small monthly charge when you have a tap.

Mr. Fields: Okay, and then when Rocky Pen comes online then what will... is the current capacity still around thirteen and a half/fourteen million gallons a day between the two plants?

Mr. Allen: We are revising our field calculations. I think it is probably going to be around twelve.

Mr. Fields: Around twelve?

Mr. Allen: But we are still looking at that.

Mr. Fields: And then when Rocky Pen comes along, how much more per day is that?

Mr. Allen: Oh, I'm sorry, I thought you were asking about Rocky Pen.

Mr. Fields: So Rocky Pen is another additional twelve.

Mr. Allen: Right.

Mr. Fields: And currently we are at thirteen and a half/fourteen?

Mr. Allen: That's correct.

Mr. Fields: So you're almost doubling... Rocky Pen almost doubles... or eighty five or ninety percent...

Mr. Allen: Right, we should end up with about twenty-six MGD or so.

Mr. Fields: Total capacity?

Mr. Allen: Right and that's on an average day basis.

Mr. Fields: Has the Utilities Department reviewed this Land Use Plan and the designated UDAs to see how from a standpoint of priority or how it fits into the master plan of the extension of water and sewer lines...the construction of water and sewer lines over time?

Mr. Allen: No we have not.

Mr. Fields: You haven't looked at it? Because I know that there's... I mean, one of the first things I learned on the Board, the beauty of utilities to a large degree it's an engineering problem and you can't

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politicize to a large degree the gravity and things like that and how much water there actually is; that's the beauty of it. So I just wondered if there was a... I mean, these are all over the counties but I'd have to look... you know I mean obviously you can see where existing water and sewer lines are now but I know you guys have a fairly methodical and elaborate system for deciding when the upgrades and when the extensions can occur according to necessity. So you haven't looked at those two things together yet?

Mr. Allen: No we have not.

Mr. Fields: Okay, thank you.

Mr. Howard: Thank you.

Ms. Kirkman: Mr. Chair?

Mr. Howard: Yes, Ms. Kirkman.

Ms. Kirkman: Mr. Allen, thank you for coming. I had actually requested your presence here. So I just wanted to make sure no members of the subcommittee met with you about the Urban Service Areas lines on this new draft?

Mr. Allen: That's correct.

Ms. Kirkman: So, I am a little surprised at that. I remember meeting with your staff as we were working on the last Comprehensive Plan. It was very helpful. That's actually where I learned you'd really like to see a fifty year Comp Plan for your engineering. But that is also where I learned about those things like gravity, pressure zones, the sewer sheds and I do have some questions because I know there is... I think this is the Westlake area and we had taken that out of the Urban Services Area and it's this section way out here.

Mr. Allen: Yes, I am very familiar with the Westlake area.

Ms. Kirkman: Okay. And, you know, at the time you had said that that might be helpful, and I can't... I think it was... was it a pressure issue? There was some sewer shed issues going out there. Have those changed?

Mr. Allen: No, there has been no significant construction of water and sewer facilities to the Westlake area.

Ms. Kirkman: Okay. And there is... we have this odd little polk-a-dot of an Urban Development Area out in Brooke and how would you... I mean, how would you run out water and sewer for just a small area like that with a thousand residential units and I think it's like over a million square feet of commercial to just one small polk-a-dot?

Mr. Allen: Well, I think it is feasible to do that. We would establish a separate water pressure zone with a tank and a transmission line to it for water. For sewer we would probably put in a wastewater pumping station and a force main back to the Urban Services Area where there is collection system capacity. So I think it is possible to do that.

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Ms. Kirkman: And for this project what would the cost of that be roughly?

Mr. Allen: Oh, we haven't begun to look at the cost of those projects.

Ms. Kirkman: Oh, so there's not been any looking at... okay. What about... for some reason it's not on this map, but in the text of the Comprehensive Plan it shows sewer lines going out to the area often referred to as the Roses. Have you done any costing of that?

Mr. Allen: At one time we did do some costing. I don't have the numbers on the top of my head. But we did do some concept level cost estimating for water and sewer to the Roses area.

Ms. Kirkman: Okay. And if I remember correctly... and please this was a couple of years ago so let me know if it has changed... at that time the water and sewer rates were based on what the cost was for that particular shed. So that there were differential rates throughout the County depending on which shed you fell in. Is that still how the rates are charged?

Mr. Allen: You are talking about the pro rata program and that is how the rates for pro rata projects are determined.

Ms. Kirkman: Okay. So, the other question I have is when you have these isolated islands of water and sewer, those lines have to be connected back to the same system in some way, correct?

Mr. Allen: They either have to be connected back to the existing system or we have to provide separate water production and wastewater treatment facilities. I believe we would favor the former.

Ms. Kirkman: So, then there is lines running through an area that's not designated as the Urban Service Area under that model. Does anyone along those lines then have the right to connect to those lines?

Mr. Allen: Our general policy is we don't allow connections directly to interceptor sewers except unless there is an environmental problem, such as a drainfield failure. We don't allow direct taps to water transmission lines. I supposed there is the possibility for a limited number of taps, but it wouldn't be widespread.

Ms. Kirkman: Okay, thank you.

Mr. Fields: Just to clarify, let me just... so what you are saying is if you have a major interceptor to actually have a lot of taps to serve a subdivision you have to build a major connection to the interceptor that then distributes to individual taps.

Mr. Allen: You would either, in the case of wastewater, you would build a public sewer and then the individual house connections would be made to the public sewer. Or in water you would tap onto a major transmission line or distribution line.

Mr. Fields: So it is kind of... you are trying to create a symmetrical hierarchy there. In other words, you don't have a large whatever... what is that, forty-eight inches for water or whatever...

Mr. Allen: Fifty-six.

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Mr. Fields: It is huge whatever it is. Like one household's six inch line going into a giant transmission line.

Mr. Allen: No, we do everything we can do to discourage that.

Mr. Fields: Discourage that, yeah. Thank you.

Ms. Kirkman: Mr. Chair, I have a... so, perhaps I asked the question incorrectly. So from that conversation and clarification I understand you don't hook up a house line to the main transmission line. But it does sound as though you can easily add a public sewer line for a subdivision to that main transmission line.

Mr. Allen: It is certainly technically feasible to do that.

Ms. Kirkman: Okay. And is there anything legally that would prohibit that?

Mr. Allen: Well, the prohibitions would be outside of the Utilities Department. It would be related to the Comprehensive Plan.

Ms. Kirkman: And that would be solely because... maybe the attorney could help out here?

Mr. Howard: What is the question, Ms. Kirkman?

Ms. Kirkman: The question is if say a property owner has a hundred acres and there is a main water transmission line that follows along the border of their property. Is there anything legally to keep them from hooking up to that? Hooking up a public water line to then serve the subdivision?

Mr. Smith: And is this property in the USA or out of the USA?

Ms. Kirkman: Well, let's pretend it's in between one of these polk-a-dot islands of water and sewer and the main Urban Service Area.

Mr. Smith: Well if it is outside the USA, then it wouldn't be consistent with the Comp Plan.

Ms. Kirkman: So at that point they would just ask for... what is it called as twenty-three thirty review, is that correct? Mr. Harvey knows the particulars. Is that it, Mrs. Baker?

Mrs. Baker: We generally refer to it as a Comprehensive Plan Compliance Review.

Ms. Kirkman: Oh, okay. So, that's all that would be needed at that point, is that correct?

Mr. Smith: I assume unless there is another County Ordinance that it would run counter to.

Ms. Kirkman: Okay, thank you.

Mr. Howard: Thank you. Mr. Allen, in your experience here in Stafford, which is pretty extensive over the last couple of years, how often does a developer participate in creating or helping to pay or even build a wastewater treatment facility or water storage tanks or some of the sewer lines and the gravity lines? How often is there a partnership that occurs?

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Mr. Allen: Well in terms of treatment, those are County projects.

Mr. Howard: Okay.

Mr. Allen: The developer has never participated in that other than contributions to availability fees. In terms of the other major infrastructures, such as pumping stations, interceptors, sewers, transmission lines, water storage tanks, water booster stations, they either contribute through the pro rata program based upon the number of lots or the size of the water meter in a non-residential capacity or there are developments where the developer actually builds the project, enters into a pro rata credit reimbursement agreement with the County, and then can use those credits either to pay their pro rata fees or in some cases to get reimbursed in cash if there is a cash balance in that particular sewer shed or water pressure zone at the end of the fiscal year. You did ask me how common it is. There have been, I would say, one or two projects a year that are built under the pro rata program.

Mr. Howard: Right and the reason I asked, I just happen to have personal knowledge of one underway. It's going through a community called Austin Ridge. I think the developer is the one running all the lines and doing all the leg work, if you will.

Mr. Allen: Yes, the developer, Augustine, built that facility.

Mr. Howard: Okay, thank you.

Mrs. Hazard: Mr. Chairman?

Mr. Howard: Yes, Mrs. Hazard.

Mrs. Hazard: I just wanted to go back because this was something that was discussed at least in length in the Committee about when we had the objective 1.5 about trying to make sure that if there was an extension allowed that it was not... that we really wanted to make sure that if they had to be located outside of there that it doesn't support rezoning or increasing the intensity of the development...

Mr. Howard: Right, it was a guiding principle.

Mrs. Hazard: So we did I think try to look at that issue because we had those same concerns. If we need to certainly polish the language, I'd like to but that's where we were going with objective 1.5.

Mr. Howard: Great, thank you. Any other questions for Mr. Allen?

Ms. Kirkman: Well, this is not for Mr. Allen, but it is for Mr. Zuraf along the lines of what Mrs. Hazard raised.

Mr. Howard: Well, can we... I don't want to keep Mr. Allen all night if we don't have to. I'm sure he worked a full day. So are there any other questions for Mr. Allen before he heads out? Right, we are going to take a break at 7:30 for public comment; that's right. Mr. Allen, I think we're good. We may ask you to come back though.

Mr. Allen: I would be happy to come back anytime.

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Mr. Howard: Great, thank you very much. I appreciate it. We will now go to the public comment. I will open up the public comment session and allow public presentations. There are no public hearings this evening so I will open up the meeting for public presentations. And, as always, the public has a right to come forward and the good news is tonight you can speak about anything that's on your mind because there are no public hearings. You actually have three minutes to do so. You can step up to the podium; when the green light goes on, that signifies your three minutes has started. When the yellow light comes on, that means there is about sixty seconds left and then when the red light comes on, we would just ask that you start to conclude your comments. As always the Planning Commission will not answer any direct comments and/or questions individually. If something is brought up where we feel we can get an answer for you this evening, we will try and do that with staff here and get an appropriate answer. But we will answer in general, not specific to you and/or necessarily the specific question. So anyone wishing to address the Planning Commission may do so now by coming forward to the podium. There are members from the public and some are beginning to advance, for those of you at home that can't see that. They are overtaking the dais. No they're not. The microphone is on, you can just go ahead and tell us who you are and then get right into your comments.

2. CUP2900195; Conditional Use Permit - Stafford Lakes Service Center - A request for a Conditional Use Permit to allow vehicle fuel sales in the B-2, Urban Commercial Zoning District as well as within the Highway Corridor (HC) Overlay District on Assessor's Parcel 44-75 consisting of 0.96 acres, located on the north side of Warrenton Road and the east side of Berea Church Road within the Falmouth Election District. **(Time Limit: September 14, 2010) (History - Deferred at June 16, 2010 Meeting to July 7, 2010, for meeting with Mr. Hirons, staff and the applicant) (Deferred at July 7, 2010 Meeting to August 18, 2010)**
3. Rappahannock River Overlay District and Potomac River Overlay District (Referred back by Board of Supervisors) **(Time Limit: October 6, 2010) (Deferred at June 16, 2010 Meeting to August 18, 2010)**
4. Discussion of Medical and Dental Clinics Definitions **(Time Limit: September 15, 2010) (Deferred to August 18, 2010)**
5. Redevelopment Area Plans - Boswell's Corner, Courthouse Road, Southern Gateway and Falmouth Village (Falmouth Village in Committee - Peter Fields and Scott Hirons) **(Deferred at June 16, 2010 Meeting to August 18, 2010)**
6. Reservoir Protection Overlay District **(Time Limit: January 29, 2010) (Deferred to August 18, 2010)**
7. COM1000010; Comprehensive Plan Compliance Review - Miracle Valley Lane Sanitary Sewer Extension - A request for review to determine compliance with the Comprehensive Plan in accordance with Section 15.2-2232 of the Code of Virginia (1950) as amended, for the extension of gravity sanitary sewer outside of the Urban Services Area a length of 505 linear feet to serve two residences, located on the north side of Deacon Road and east side of Grafton Village Elementary School on Assessor's Parcels 54-132, 54-133A and 54-133B within the Falmouth Election District. **(Time Limit: July 4, 2010) (History - Deferred at May 19, 2010 Meeting to June 2, 2010 Meeting) (Deferred at June 2, 2010 Meeting to October 6, 2010 Meeting)**

NEW BUSINESS

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None

7:30 P.M.

PUBLIC PRESENTATIONS

Mr. McMath: Well, I'm hesitating because I'm hoping my three minutes doesn't start (inaudible).

Mr. Howard: Oh, I see, you want to make sure that the handout is given out.

Mr. McMath: That's right and I have introduced myself and told you what I want to talk about. I need all the three minutes that I can get here.

Mr. Howard: Fair enough. Thank you.

Mr. McMath: Okay, my name is Jim McMath and I live in the Rockhill District and I would like to talk to you for a few moments about the revision of the Comp Plan and the current draft that is available. First the Growth Goal; the plan draft protects twenty-nine thousand additional residential units over the next twenty years. Table one shows the projected units by the three categories of land use: suburban, urban and rural. A plan implies that growth for the first ten years is roughly half the total reconcentrated in the proposed UDAs, indicating growth in the last ten years will take place in suburban and rural areas. But as shown on the table, there is also the potential for some 32,000 by-right units in those latter two areas. Since those can be developed by the owner at any time, the plan must assume that they will be developed to make sure it counts for the full impact of growth. It is not clear from the draft how those units will be included as the Table shows that they are simply added to the projected growth, we get an actual growth of over 60,000 units. If it is assumed all of the projected growth outside the USA is by-right then the actual total comes to some 47,000 units. So we are apparently planning for a growth ranging anywhere from 47,000 to 60,000 units. Planning for an indefinite result won't work. We need to derive a specific growth goal. A build-out and fiscal analysis shows it can be realistically supported and achieved. And that leads to non-residential projections; the plan draft projects a total addition of over 30 million square feet of commercial industrial space or some 1.9 million square feet per year. The average annual increase for the years from 2001 through 2007 was less than 800,000 square feet, so we are talking roughly double the recent years in this area. Is that realistic? It would certainly be nice to think we could count on that broadening of a tax base to help pay for the projected population growth, but what are the consequences if it doesn't happen? Again, we need a thorough analysis of the fiscal impact to make sure we have a sustainable balance between residential and non-residential development. Finally, Road Infrastructure; table two shows the county roads with the highest projected traffic increase over the next twenty years and the consequent drop in levels of service. All of these projects are listed in the FAMPO Long Range Transportation Plan for Stafford but none of them are on the two road lists in the draft plan. The plan draft recommends applying impact fees countywide to ensure new development pays its share of the road costs but the Board of Supervisors proposed using those funds to pay off the transportation bonds. In addition, the draft plan lists twenty-two new roads it says will be required to move the additional traffic generated by the projected growth. No funding sources are given for these projects! The FAMPO Long Range Transportation Plan shows a \$150 million shortfall in funding from all available sources for its constrained list of Stafford road projects. None of the twenty-two roads is on that list. How big would the shortfall be if they were? And how would it be funded? Thank you.

Mr. Howard: Thank you. Anyone else wishing to address the Planning Commission may do so by stepping forward.

Ms. Reed: Good evening Planning Commissioners and staff, my name is Becky Reed and I live in Falmouth. When developing a Comprehensive Plan, counties ask for citizen involvement and Stafford

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did this at the beginning of the current revision. And there were meeting where citizens could listen and then ask questions. There have been major changes in the proposed plan; for example, these nine high density Urban Development Areas that we've listened to you talk about. The public has had little chance to learn about these. I understand that the UDA consultant will not finish work until September 2011 and that the plans do include a provision for public participation. Nine UDAs with all the changes they require pose many, many questions for everyone in the County. The conversations tonight certainly emphasize that. All the needs for water and sewer facilities for transportation, the desire to protect green areas, pose many questions for everyone in the County. One question is how will all this be paid for? The developers will pay for some of it, but they will certainly not cover all the cost. The rest will be paid by us, the citizens. The Planning Commission and the Board should wait until the consultant's work is finished before passing the Comprehensive Plan. Again, the questions that have come up tonight lead to this conclusion. Thank you.

Mr. Howard: Thank you.

Ms. Kurpiel: Good evening Mr. Chairman and members of the Board, my name is Patricia Kurpiel and I live in the Accokeek Creek Watershed. I would like my slide please. My topic tonight is about residential development and about the fact that residential development does not pay for itself. Now, what I have put on the screen is a study done by the American Farmland Trust. As a matter of fact, it's a summation of 125 studies over twenty-five years that give some very important information that I think we need take note of. For every dollar of income that we receive from taxes, the cost in services for a residential property is a \$1.19. That's a negative cash flow, gentleman and ladies. For every dollar that we receive for an agricultural property, the cost is only thirty-seven cents. Let's have some more of that. For commercial, the cost is only twenty-nine cents for every dollar of revenue. We need this kind of study for Stafford County and we have been requesting it from the Board for some five years now. This is just the median over these 125 studies. This study is relatively easy to do; we merely take the revenue and expenses from either the Consolidated Annual Financial Report (CAFR) or the budget and allocate them to these three cost targets, commercial, agricultural and residential and then we develop these ratios. Steven Fuller did this study for a Stafford developer in 2006 and found the ratio was a \$1.19 in costs for residential and forty-four cents for a combination of, well he called it non-residential, so it would have been agricultural and commercial. But when we asked him for the detail, that is, what did you put in each column, he declined to tell us. We need that for transparency. Staff should do this study; they are very capable and they can. Now this figure, this \$1.19 or whatever it is, will change every year and we need the historical record. What's happening historically with these ratios? We have information going back ten years; it would be very easy to generate this. I think that in your planning process having this kind of information would be very useful. So when we say that in this plan, development is going to pay for itself, I have to ask you how? How is it going to when you know this, that the operational costs for government are not paid. They are paid by the existing taxpayers. The proffers may be paid but not these year-over-year costs. And gentleman and ladies, these are the big costs that need to be attended to. Thank you very much.

Mr. Howard: Thank you.

Mr. Waldowski: I think you all know who I am but I'll say it, Paul Waldowski. I have so many items to talk about but I'm just going to talk about terminology today because I keep hearing goals, objectives and policies. This is management by objectives, so I'm not talking to the Board here, I'm talking to the citizens. We need clear goals and like the man said, 47,000 to 60,000 units is not a realistic goal. Now, what objectives means is to set a set of objectives to achieve that goal and hopefully you do set that goal so it can't be met. If it is met, then you reset the goal and you set a new set of objectives to do it. The policies are used to perform the objectives. Now you talk about strawmen and a strawman is based off of leadership principles. And when other citizens are telling you about citizen involvement, your responsibility is to provide the strawman; their responsibility is to give you the bowtie, the cufflinks, the eyes and maybe even the brain. Oh, I got confused, I was talking about Dorothy and the other straw man, excuse me. There is a book on the eighty/twenty rule and there are so many examples; take ten workers, two of them do eighty percent of the work, the other eight do twenty percent of the work. If you don't think that's realistic, just look around in your own

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career and see how many times that's happened. Now, I want to talk about UDAs because all I heard was these four single homes per acre, but if you read what came out of that legislation it could be twelve condos or apartments. Wow, someone in Richmond finally figured out that there's horizontal property that exists and eight townhouses. Now, I'll finish with utilities because utilities really ticked me off because they are a monopoly. They are not like... what did Mr. Fields say they were, the beauty was engineering. You know it's beautiful to be a monopoly and be an engineer because you don't have competition. See if you have cable TV, you could get DIRECTV, Comcast or Cox. And I am faced with a twenty-eight year Planning Commission decision who gave me a piece of property with no water bill that's going to four meters and someone dropped the ball, didn't educate that developer and that's one of the things that needs to be fixed not only for existing properties, but if you build anymore of these horizontal properties, each one of these people better get a water bill. And I'll bet every one of you in this building gets a water bill except me. Thank you.

Mr. Howard: Thank you.

Ms. Hilliard: Hi, my name is Candy Hilliard and I live in Brooke. It appears, by the UDAs that are being proposed, that every developer request that's ever been made to the Board of Supervisors is now going to be approved. The Board of Supervisors seems to have said pretty clearly that pretty much whatever is being proposed at this point is what they plan to put through almost regardless of what anybody else says or thinks. There have been three areas where taxpayer dollars, time and resources, have been spent and public input has been asked for and gotten. Those are those three areas of development that are a part of that nine, but that means that there are six where that public input has not been requested and there has not been that study or that time spent. Although, one of the good things is, there has been a consultant hired who will give that sort of feedback to you, the Planning Commission, and to the Board of Supervisors. It's just really unfortunate that it appears that it's not going to be taken into consideration nor waited on. I mean, we've waited this long for a Comp Plan; it really should be a document that is reflective of the community needs. And it would be my sense at this point that this is not a document that reflects that. One of my biggest concerns at this point obviously is the lack of public input. I understand that there is a proposal at this time for a joint public hearing with the Board of Supervisors. Shame, shame, shame. That should not happen. There really does need to be additional public input and the opportunities for people to come forward and share with you their concerns. And part of that means that you have a public hearing and the Board of Supervisors has a public hearing. What's the rush to get this Plan passed all of a sudden? Because those buddies that those nine areas represent are asking for it to be hurried up and passed? Again, what happened to that public input component? The Comp Plan is supposed to be the document that guides this County for the next twenty years. In listening to the discussion it's often been said that the committee made decisions. The biggest issue is that the public process has been neglected. If you want an example of what a true public process looks like, look at the 2020 Plan. The 2020 Plan shares in great detail the quality of life that our citizens would like to see in Stafford County and really do expect from us. So... sorry, I have gone over my time. When the discussion moves to the fact that Virginia does not have adequate public facilities legislation in place, it's critical that Stafford's Comp Plan spell out the criteria of development as specifically as possible, which means spelling out the Levels of Service needed to accomplish the quality of life we would like to see for the citizens and the citizens would like to see for themselves. That means don't rush through this process. Open it up to the public. Allow people to have an opportunity to participate and that doesn't mean appointing a committee. That means going out and bringing in people in who are interested in the different areas. And again, if you have a question about how that public process should look, look at what happened with the 2020 Plan. It was a great example of bringing the community together. Although that study was put on a shelf and ignored, it still is a valid plan. Thank you.

Mr. Howard: Thank you. Anyone else wishing to address the Planning Commission this evening may do so by stepping forward. Seeing no one beginning to advance towards the podium, I will now close the public comment section of the business and thank everyone for your comments and participating because it's always positive when we get people to come down to the meeting and listen and give their input and we appreciate that. Thank you. I will now bring it back to Mr. Zuraf and he can take up where he left off.

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1. Amendments to the Comprehensive Plan (**Time Limit: September 7, 2010**) (**In Comp Plan Committee**) (**Deferred to July 21, 2010**) - *Continued*

Ms. Kirkman: Mr. Chair, I had had a request for Mr. Zuraf based on the utilities discussion.

Mr. Howard: Yes.

Ms. Kirkman: It seemed like where we got into a conversation was the only legal barrier to a developer hooking up to one of those lines that would extend outside the main Urban Service Area to one of those islands of water and sewer is whether or not it was in compliance with the Comprehensive Review Plan and then, of course, they could put in... not the number name...

Mr. Zuraf: Comp Plan Compliance Review.

Ms. Kirkman: Comp Plan Compliance Review. I think it would be fairly easy to pull. Could we just get a count from like the last ten years how many of those have come in and how many have been approved?

Mr. Howard: How feasible is that Mr. Zuraf? Is that something that...?

Mr. Zuraf: Yeah, we can get you a number specifically relating to...

Ms. Kirkman: Water or sewer, yeah. The Urban Service Area line.

Ms. Howard: Are you, Ms. Kirkman, just for clarification, are you asking how many subdivisions were allowed to...?

Ms. Kirkman: No, no, how many requests for Comprehensive Plan Compliance Reviews in regards to the Urban Services Area water/sewer line.

Mr. Howard: Okay.

Ms. Kirkman: Yeah, because there's occasionally other kinds but I think the vast majority of them have been around water and sewer.

Mr. Howard: Great, thank you. Do you remember where you left off Mr. Zuraf?

Mr. Zuraf: Yes. Alright, number 10. Subsequent to the last meeting, staff did receive a request to provide a full build-out of this latest 2010 draft Plan, basically following a similar process as to what was done on prior versions of the 2008 and 2009 draft Land Use Plans. In advance of doing this, staff did want to clarify some of the parameters with the Commission that we would go through in developing this Plan, this build-out, and we did provide some of those questions in the memo. Also, as a side note, before I get into the specifics, as you know the Board has retained Dr. Steven Fuller to conduct the economic and fiscal analysis of the 2008 and the latest draft of the Land Use Plan. And when staff did meet with Dr. Fuller, he also requested to see a full build-out of the latest 2010 Plan. He felt that that was needed for him to fully evaluate the two Plans and get a good similar comparison. Regarding the issues with the methodology, the questions on how we go about this is...

Mr. Howard: Mr. Zuraf, did the prior Plan, which I think we're all referring to as the 2008...

Mr. Zuraf: 2009.

Mr. Howard: Well, the December 17, 2008, and then there was the 2009 with the Board of Supervisors at that time changed. Did either one of those have a build-out plan?

Mr. Zuraf: Yes they did.

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Mr. Howard: So what was the methodology in that?

Mr. Zuraf: Well, we would recommend following that, where you go parcel by parcel. Through GIS we can run a model that goes parcel by parcel and basically sets the parameters and then our geographic information system will run through and crunch the numbers and give us results. We would recommend following that similar process where we would go parcel by parcel. The difference here is this build-out would be a little bit more simple in the results because there are many fewer land use categories. So, we would need to do more of an estimation; specifically in the suburban areas we would recommend going with a three dwelling unit per acre density on all available land in the suburban areas, understanding that you may get some development that would actually end up happening at a lower density than three dwelling units per acre. And then some areas may develop at a higher density than three dwelling units per acre where you might have some townhomes and apartments. So, we were recommending an approximation there. And the other issue with the build-out in this case is how we determine residential versus commercial in the suburban areas because it is a more generalized district where we do identify some suburban corridors and nodes. So, I think what staff would recommend doing is we would go through and just identify some general perimeters around the commercial corridors and nodes and exclude those from the residential build-out assuming that those would potentially become commercial. So, those are some of the criteria that we would have to do. It's different in this case from the prior build-out.

Mr. Howard: Because this Plan is a little more general?

Mr. Zuraf: Yes. And then also with the urban areas, staff would recommend that we just go ahead and drop in the numbers that are being recommended in the nine urban areas, similar to how we've, in the previous build-outs, we singled out previously approved subdivisions and carried that through. I think we would do that in this case but then treat these urban areas with the specific numbers that have been provided in the urban areas.

Ms. Kirkman: Mr. Chair, I object strongly to that methodology because it presumes that these development proposals are already approved and you have said that the Boards' consultant needs to do a comparison. That's a very different methodology and it substantially undercuts the numbers. And it is not at all comparable to the methodology that was used in the previous drafts.

Mr. Howard: Ms. Kirkman, I thought Mr. Zuraf was actually suggesting that it stay apples to apples, not be a different...

Ms. Kirkman: That's not what he has just recommended. What he has recommended is something very different.

Mr. Howard: No. I think what he indicated, Ms. Kirkman, is that because of some of the general nature and the reduction of specificity on some of the Land Use Map, that there is going to be some general assumptions made. The other Land Use Map had a significant number of designations which, if I understood you right, there is a specific number attached to that type of a land use.

Mr. Zuraf: In the previous version?

Mr. Howard: Yes.

Mr. Zuraf: Yes.

Ms. Kirkman: Actually Mr. Chair, what he suggested, let's just stick with the UDAs for example. In the previous drafts, in the UDAs it was assumed that the maximum commercial allowed and the maximum residential allowed for the UDA designation would be built out. That is not at all what Mr. Zuraf is suggesting. What Mr. Zuraf is suggesting is that these numbers that were pulled out of the population growth numbers be applied instead; that is a very different methodology.

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Mr. Zuraf: The alternative is being suggested is to take the acreage of the individual UDAs and apply the density and floor area ratio to those...

Ms. Kirkman: That's the methodology that was used in the previous drafts.

Mr. Zuraf: Yes; which we can do that too. It'll get you a different number then what is being recommended in the plan but it will give you the worst case scenario.

Mr. Howard: You would probably need to do all three in order to make it fit. That's fine; I think that's appropriate, so you know the differences.

Ms. Kirkman: And can you explain how you came up with the three dwelling units per acre for suburban, because suburban covers a substantial portion of the land Use Map. How did you come up with... what was your methodology for three dwelling units?

Mr. Zuraf: It was an average that we were recommending across the board.

Ms. Kirkman: What was that average based on?

Mr. Zuraf: It's based on your typical... the current Land Use Plan recommends suburban areas at three units per acre and that's usually accomplished to actually develop at that three units per acre. That's usually done through more clustering. The typical suburban residential neighborhood you see today, it really develops out at one and a half units per acre. So, this is staff's best professional judgment at what kind of average you would get when you go across the board because you are, in suburban areas, going to get some higher density areas and higher density apartment or townhouse developments but then also you are going to have some lower density suburban development.

Ms. Kirkman: In the previous draft, the methodology used, either the existing zoning or the proposed land use, how are you proposing to handle that issue? Whichever was higher.

Mr. Zuraf: This would be the recommended land use density of three...

Ms. Kirkman: So regardless of what the current zoning is?

Mr. Zuraf: Yes.

Ms. Kirkman: So, even if the current zoning is higher than three dwelling units per acre, you would not use that higher... Well that again is another inconsistency with the methodology that's previously been used. Even your own consultant has said you need the same methodology.

Mr. Zuraf: Now, we are, with any of the approved subdivisions, those numbers would be worked in as already approved.

Ms. Kirkman: But the previous methodology also incorporated current zoning.

Mr. Zuraf: Because that was the recommended land use density too.

Ms. Kirkman: That's correct. But there were instances... when there were instances where the current zoning was higher than the projected land use, the current zoning was used instead of the projected future land use.

Mr. Zuraf: I'm not certain if that was the case.

Ms. Kirkman: The mapper probably knows... the cartographer.

Ms. Bullington: Sorry. It was the land use that was used regardless of the existing zoning situation.

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Mr. Howard: The land use as designated on the proposed map?

Ms. Bullington: Yes.

Mr. Howard: And that is what Mr. Zuraf is suggesting I think. The difference is this Land Use Map is a lot more general. So, what Ms. Kirkman, I think, is asking is really to take the old plan and make it the old plan.

Ms. Kirkman: No, I'm not.

Mr. Zuraf: We do have the by-right zoning build-out.

Mr. Howard: Right. That would make sense because the zoning is not changing.

Mr. Zuraf: And a separate request that we've been asked is to actually do a separate analysis, which is almost complete, that we're going to be providing to the Board and will provide you all, is the separate by-right zoning build-out with the UDA build-out overlaid onto that. So, there's some different things going on.

Ms. Kirkman: Is that the UDA build-out with those population growth numbers popped in or the UDA growth maximum potential under the land use?

Mr. Zuraf: Population growth numbers built in.

Ms. Kirkman: Because that... I was looking at the so-called growth projection table and that's a fairly big difference. So, if you use just the population growth numbers for the UDAs, you come up with, let's see, 15,000 residential units. If you use the average of four units per acre, it's almost double that. And if you use the ten units per acre allowed under our current TND Ordinance, it comes out to over 72,000 residential units. So, the methodology that you use, whether it's the growth numbers that we have no ability... I mean, there's no guarantees around that or whether you use the land use numbers, makes the big difference in the final number.

Mr. Zuraf: Okay.

Mr. Howard: Well, Mike, where there's a difference we have to denote it, we have to explain why, to Ms. Kirkman's point, there's no intent for anyone to be deceptive or not have people understand what's being proposed. But it's not the same methodology because it's not the same methodology in terms of the Land Use Map. There is a distinct difference in trying to be more general. In fact, the State Code actually requires the Plan to be general in nature, your Comprehensive Plan, and that was the goal is to take some of the... make this a little bit simpler for the average person to take a look and say okay, I kind of get what they're trying to do here. Now, you can agree or disagree; that's absolutely fine but it was meant to be somewhat simpler of a map to be able to read, use and understand.

Mr. Zuraf: And on the floor area ratio for commercial areas in the suburban areas and in the business and industry areas, we would go ahead with the 0.4 FAR across those areas consistent with what was done in the previous build-out.

Mr. Howard: Right. And keep in mind, hopefully one of the byproducts or outcomes, Ms. Kirkman, is we get to a form based code type of situation where we can, whether it's through leveraging the transferring of development rights and leveraging the form based code, where we can actually create these little nodes in Stafford County that include a mixed use that's friendly to work in, it's friendly to live there, there's entertainment, there's shopping, and there's these centers that accommodate all of that that take traffic off the roads and congestion and so on and so forth but also become self-sustaining. Just because of the mixed uses, you're able to generate additional revenue. Some of it's general in nature because we don't want to be as specific. We're hoping to do... remember, we looked at two municipalities, one I believe was in Virginia Beach and the other one I think was somewhere

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towards Richmond where they've been very successful with the form based code and have been able to lure different types of development, both residential and commercial, and other type of retail that seem to be working very well in those communities and look great by the way.

Ms. Kirkman: Mr. Chair, I do have to point out there's an inherent contradiction in what keeps being said and that is that we're going to make these nice little mixed-use communities where people will want to live and work and yet we keep hearing how these UDAs are located along the 95 corridor and VRE stations, which says they're not going to be working there. So, that is a direct contradiction that is contained every time it's said this is where you're going to live and work.

Mr. Howard: I couldn't disagree more but thank you.

Mr. Zuraf: Okay, to kind of finish up the summary of this memo, the Board is holding a work session next Wednesday, July 28th. Staff is providing some additional information to them. The information that we're putting together for them we'll share with the Planning Commission. They wanted to see similar overlays of the Land Use Map with the current Urban Service Area. They did want to see the Land Use Map with the overlays including the water and sewer lines, so we'll share that. And then, as I mentioned, the build-out that combines the proposed Urban Development Areas on top of the existing zoning build-out and also a comparison of commercial build-out between the draft Plan and the previous 2009 draft Plan. At that point we have the capability of displaying the different maps if you want to go to those, and also different layers through GIS if you want to get to that detail and we're happy to answer any additional questions.

Mr. Howard: Great, thank you Mr. Zuraf.

Ms. Kirkman: Mr. Chairman, I do need a clarification from Mr. Zuraf.

Mr. Howard: Sure.

It's Kirkman: So, the suburban designation, which is... just so the folks at home know... all the yellow on this map, what's the zoning that's associated with that yellow?

Mr. Zuraf: It could be a variety of R-1, 2 or 3, which is Suburban Residential, Urban Residential, medium or high density. Also, it could allow for B-1, Convenience Commercial, B-2, Urban Commercial, B-3, Office Zoning, and then also M-1 zoning, Light Industrial.

Ms. Kirkman: So, I just to make sure I'm adequately understanding this... all of this yellow area, if I were to buy... I'm thinking about buying a property and this Comprehensive Plan has been passed and I go into the Planning Office to find out what could potentially be around the property that I'm interested, I won't know if it's going to be R-1, Residential, which is what, one and half units per acre? Or R-3, Residential, which is what, under cluster, seven and a half units per acre? Is that right?

Mr. Zuraf: Yeah, even under cluster for R-3, it can go up to fifteen units per acre.

Ms. Kirkman: Oh, fifteen units per acre. Okay. Or it might be M-1, which is... doesn't that include salvage yards?

Mr. Zuraf: I would have to go to the Zoning Ordinance.

Ms. Kirkman: Yeah. So, I think this really does a disservice to the citizens because people trying to plan their purchases and how they want to use their land will have no idea which of these six categories the land around them is going to be in the future. Is that correct?

Mr. Zuraf: I think you would have some general idea because it does identify commercial corridors and nodes where you would have a better idea of where the potential for commercial would be. If you're buying a piece of property that's in an area that's fully established with residential and your off

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these commercial corridors and off of a primary roadway, then there would be much less of a chance of that...

Ms. Kirkman: But nothing... if somebody came in with an M-1 rezoning, it would be in compliance with the Comprehensive Plan so long as it was in the yellow area?

Mr. Zuraf: Not necessarily because there are some parameters that talk about the location of light industrial uses with their proximity to residential uses and other commercial uses.

Ms. Kirkman: Okay, but around the fifteen units per acre, that could go anywhere in this yellow?

Mr. Zuraf: Not necessarily also because there are design parameters and location parameters that are discussed within the suburban area text in this document. It recommends the urban and...

Mr. Howard: Where is the text Mr. Zuraf?

Ms. Kirkman: Yeah.

Mr. Hirons: It is page 3-27.

Mr. Howard: What was the page number Mr. Hirons?

Mr. Hirons: 3-27.

Mr. Zuraf: It's at the bottom of the last paragraph. That includes some of the kind of design parameters that are written in that would drive the location of, say, high density residential in close proximity to public facilities and commercial uses and along major collector and arterial roads. It would be capable of handling higher traffic.

Ms. Kirkman: Could you... what's the definition of a collector road? I thought those went down pretty small.

Mr. Zuraf: I don't know the specific definition. I would have to check on that.

Ms. Kirkman: So, for a citizen to understand the future land use, right now they can just go look at the Comprehensive Plan and understand what a parcel is designated for in the future. With this, they'd have to do this, they'd have to look at this, then they'd have to go read the criterion here and guess how these criteria would be applied.

Mr. Zuraf: Correct.

Ms. Kirkman: Okay, that's correct? Thank you.

Mr. Howard: Is there a suggestion there Ms. Kirkman?

Ms. Kirkman: Yep. My suggestion would be that the Land Use Map needs to designate the future exact zoning of the parcel so that citizens can make informed decisions, which I'm sure the majority will not do. So, why do you keep asking since you have no intention of doing it?

Mr. Howard: Well, it's good to get the point just for the sake of everyone's time; that's my point. If you have a good recommendation, we'd love to hear it. And that one certainly (inaudible)...

Ms. Kirkman: And probably ignore it.

Mr. Howard: We're not ignoring it. That one, you know, from a citizen perspective, makes sense but again I just remind everybody that the goal of the Comprehensive Plan *is* to be general in nature and

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not to be as specific. And, if you recall, I can't count the number of times since I've been on the Planning Commission that we've actually had to do a comprehensive... we've had to change ordinances to be in compliance with the Comprehensive Plan and that's on the bigger picture, 30,000 square foot... 30,000 feet rather, we're trying to avoid that from reoccurring for everyone because that's time and money for the County. And I don't know too many times where we haven't revised the ordinance or amended the Comprehensive Plan to fit into a situation. So, the goal here was to be a little bit more flexible but not be misleading in terms of parcel designation or what could come next to you and what couldn't come next you. So that's not the intent at all.

Mrs. Baker: Mr. Chairman?

Mr. Howard: Yes.

Mrs. Baker: If I could add too; this is step one. Once the Comp Plan is adopted we'll be looking at implementation of that. There may be the need to create new zoning designations. We may do away with some of our existing zoning designations and look at creating form based codes and those other suggestions that are already in here. So, there will be follow-up with implementing this Plan, even though there will be a time period where yes, you're not going to know what exactly is going to be developed there but there is room to make those improvements through the amendment to the Zoning Ordinance.

Mr. Howard: Thank you Mrs. Baker. Okay, Mr. Zuraf, did we get through number 10?

Mr. Zuraf: Yes.

Mr. Howard: And we got through the Board of Supervisors? Is there an expectation that the Planning Commission participate in their meeting or be there or, at least, I know the planning staff will be there.

Mr. Zuraf: Not that I'm aware of.

Mr. Howard: Okay.

Mr. Zuraf: Do you have any other knowledge of that?

Mr. Hirons: Is the meeting during their regular meeting times? Seven thirty in the evening?

Mr. Howard: This would be a special... that's a Wednesday so this would be a day that they don't typically meet.

Mr. Zuraf: It is a special meeting.

Mrs. Baker: It's at 6:30.

Mr. Howard: Six thirty Wednesday? And is it here in the Board Chambers?

Mrs. Baker: It's in ABC Conference Room.

Mr. Howard: So, for those of you in the audience and those of you watching, that's where the meeting is.

Ms. Kirkman: Is there some conflict with holding it in chambers that evening?

Mrs. Baker: No, that's just where they have requested to have it.

Ms. Kirkman: Because we've heard over and over again about the need to inform the public and the best way to do that is hold it in chambers so that can be televised.

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Mrs. Baker: There will be audio.

Ms. Kirkman: Will it be televised?

Mrs. Baker: No, just audio.

Mr. Howard: And then the audio will be made available, I'm sure, on the internet.

Mr. Zuraf: So does the Commission have any other questions or comments or changes that they might want to see?

Mr. Fields: I have a couple.

Mr. Howard: Okay, I will bring it back to the Planning Commission for questions to staff. Mr. Fields?

Mr. Fields: It's sort of a general question; I know you're coming back to it related to the, Ms. Kirkman asked, in related to Widewater but I also have the question. For the UDAs, I really do need to get a good sense of what was the methodology used to generate the specific numbers of dwelling units in commercial square footage? Many of these... these are extremely specific numbers. For example, George Washington Village, 10,340,400 square feet. In enormous terms like 10 million square feet of commercial, which is really a lot of commercial square footage, why not just a general number? You know, approximately 7 to 10 million, approximately 2,000 to 3,000. We have in some places, the courthouse area, 656 dwelling units, Southern Gateway, 1,876. Those are extremely specific numbers and I would like to get an answer on how a specific number like 1,876 versus 1,870 or 1,895 was arrived at. These are not just general... they don't seem to have the quality because of their specificity of general ballpark parameters of looking at big picture; they seem to be very specific. So, I would like that for all the UDAs, not just the Griffis-Widewater. And then my other question is, actually a comment, and there's a lot of areas that are like this but one that sort of struck me and I just wanted to get the thinking of the committee. On goal 3, we're on page 2-14, the Policy 3.11. Specifically Policy 3.12, it states that we're trying to... well, first of all the objective is ensure the environmental protection efforts meet federal and state mandates with minimal impacts to the County. Policy 3.12 says: "these environmental objectives and policies should only be implemented through voluntary measures with the exception of those mandated by state and federal agencies". And I'm sort of looking for possible examples of where environmental... or just a sense of what that means. It certainly sounds nice; I'm just not sure how environmental regulations are done voluntarily. Certainly, some people would choose to do the right thing. In general, people choose to do sort of... the range of behavior sort of generally some people choose to do sort of the right thing as much as possible until it starts to cost them a lot of money in which case they choose to do something, prefer not to do it. Everybody feels that; that's just a natural human reaction which is one of the problems with environmental regulations. Generally they do not... organically, environmental regulations do not accrue to the profit side of the column, they cost money. And so, I'm getting at so what's the theory, what's the idea?

Mr. Howard: My question would be what's an example of...?

Mr. Fields: I guess that's what I'm asking. What is an example of a voluntary measure (inaudible)?

Mr. Howard: Well, I'm asking what's an example of something you've seen in your past history that didn't meet the state and federal mandates in terms of environmental protection? So, where have you seen...

Mr. Fields: I guess that's kind of what I'm asking. What sort of things are we talking about? Because, you know, the Chesapeake Bay Act kind of just sort of pretty much overrides everything.

Mr. Howard: Right.

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Mr. Fields: We have the ability to go farther than that. Are there other measures envisioned or other goals? I'm just trying to get the sense of a voluntary... or do we, in saying that, what's the purpose of thing that I guess?

Ms. Kirkman: Mr. Chair, I can give an example.

Mr. Howard: Okay.

Ms. Kirkman: Sure. The Potomac River Resource Overlay went above and beyond what the federal and state mandates went. And the current Board voluntarily agreed to a settlement to eliminate that ordinance. And I think that's exactly what we're talking about here is that we can expect more of that in the future, which is let's do the minimum necessary and not anything above. I also want to point out that voluntary and regulation are inherently in contradiction. A Regulation is a mandate, it's not a voluntary standard.

Mr. Fields: The committee, I assume you guys talked about this policy so I'm just curious. And I really want to get out what I really do sincerely want to know (inaudible).

Mr. Howard: I don't know if Mrs. Hazard or Mr. Hirons want to add anything but I have some to add as well.

Mr. Hirons: Or Mr. Mitchell.

Mr. Howard: Okay. Or Mr. Mitchell; I apologize.

Mr. Hirons: Voluntary is what it is and I'm kind of missing where regulation comes into the discussion here because I think that's part of the problem. I don't think it's the duty of the County to impose additional regulations in this area on the citizen. However, at the same time, when good environmental living, good green living, is an option, sure, the County should encourage its citizens to participate in that. But I just don't particularly believe that it should require its citizens to participate if the state or federal government has not said they should.

Mr. Howard: Mrs. Hazard, I don't know if you want to add to that.

Mrs. Hazard: I think we are also thinking a lot about what is coming soon in the Chesapeake Bay area. There's going to be a lot of staff time and probably County time spent figuring out how to deal with the mandates and the requirements that we will be dealing with. Let's get her handle on that at the same time as we are trying to meet those requirements, mandates and draft and craft new regulations to meet those. We certainly want to be a County that's encouraging at that same time other voluntary measures while we deal with certainly the mandates that we're going to be handed very soon.

Mr. Howard: And again I agree; that's where I was going to go with my recollection. Ms. Kirkman is correct that the Overlay was kind of null and void but actually, just so everyone knows, it was sent back to the Planning Commission and we will take it up very soon. And there is an expectation there will be some type of overlay and protection that would be added and the Comp Plan would be amended and that would be included. We didn't want to hold up the Comp Plan, which is why this was moved to be addressed post the Comp Plan and then included afterwards. That was the main recollection, but I think if there's a suggestion, which was one of the goals of this evening, to change some of the wording in Goal 3, because the truth is there was a lot that was added, not taken out of that and if somebody wants to make a suggestion in terms of something to be considered, like if we want to still include "strive to be a leader" in preservation and Stafford encourages its citizens and businesses. There is no objection, I was kind of hoping we would have some of that dialogue tonight and talk through that to make sure that we are capturing the concerns in any of the other issues. Again, this is in addition to what was already there. There's really not much that was removed from that paragraph.

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Mr. Fields: Well, in the spirit of offering suggestions rather than just criticisms, it would be my preference which would probably not carry the day on a vote to not use the word voluntary measures because I'm not sure it works. But here's what I would suggest, which I think having thought about these things, I do agree there's a point where simply just telling people what to do and beating them over the head with a stick frustrates everybody involved. Environmental policy is very complex but the resistance to it I believe firmly is based primarily on a lack of information and education on the part of the people being regulated. I remember attending a Potomac Watershed roundtable meeting where they had a presentation on environmental education where they said their research indicated that one in 300 people knew what a watershed was. And light bulbs went off and said well that's sort of the start of your problem, if most people don't know what watershed is you can't get voluntary compliance. I would say if we're going to articulate as a policy that we want to only make mandatory what's mandatory by state and federal and not mandate anything under local authority, which is what this is saying. There certainly should be, I think in all fairness to trying to be environmentally responsible, to put in language that there's a commensurate, proactive and aggressive education effort on environmental issues by the part of the County to its citizens. Other than regulations, which is don't do this or something bad will happen type of law, the only other thing that can make the environment better is to build people's own desire to do it through understanding and hopefully, if they understand that when you dump something off your driveway it ends up in the Chesapeake Bay, a lot of people don't even understand that. If we don't make a strong commitment to education...

Mr. Howard: So how about this Mr. Fields...

Mr. Fields: ...then I don't think the voluntary is a very (inaudible).

Mr. Howard: ...3.11, toward the end where it says "when trying to meet the objectives of the state and federal mandates and a menu of options are provided to meet objectives, emphasis should be placed on incentive-based measures"?

Mr. Fields: Yeah, that's fine. And just state that, it's not hard that the County desires to, to the best of its ability, engage in a proactive effort to educate all of its citizens on environmental issues facing the County.

Mr. Howard: And we discussed this, so for those wondering what could that be, it's the old impervious versus pervious surface. And if you wanted to allow a developer to do something different with a parking lot or areas that typically hurt groundwater management or stormwater management, you could allow the developer to get some type of a credit for doing something very different that is more green and helps the environment. Is that your understanding of what we're talking about Mr. Fields?

Mr. Fields: Well, certainly those things are good. But I just think the component of being proactive on the awareness of it is I think goes hand-in-hand then with wanting to use incentives. If we want people to take advantage of incentives they have to have the motivation to do so. If the motivation is not purely dollars and cents then there has to be an altruistic motivation which we need to be engaged in encouraging and developing.

Mr. Howard: Well, and we talked about that and I'm not sure what it would look like but it certainly could be added or changed in some of the zoning. But maybe for a particular type of business you might compromise the number of required parks because they went the right type of surface for parking, so they were ten spaces short but they said you know what, if we did pavers as a parking lot versus pavement. That might be something the County can say okay, that kind of falls into where we're trying to get to, so it will allow the water to actually go into the ground versus being channeled and funneled through a creek.

Mr. Fields: Certainly.

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Ms. Kirkman: Mr. Chair, I had a question for the committee regarding objective... I have to match these up... yeah, objective 3.7 that's on page 2-18. And this is regarding encourage... the language was changed a bit on the objective to "encourage from establishing a system of parks" to "encourage parks and natural areas to include low impact recreational and educational uses". And I noticed two things regarding policy 3.7.2 regarding Crow's Nest. The first is the committee has chosen to remove the word "entire Crow's Nest", protecting the entire Crow's Nest from development. Is it then the consensus of the committee that it's okay to develop Crow's Nest or parts of it?

Mr. Howard: Well, again, I'll ask... I can tell you that was not the spirit of the change but we can ask Mrs. Hazard and Mr. Hirons.

Ms. Kirkman: And Mr. Mitchell, it's even in his district.

Mr. Mitchell: I'll be happy to answer. I'll be *happy* to answer.

Mr. Howard: Alright Mr. Mitchell.

Mr. Mitchell: When we read this, it's said permanently protect the entire Crow's Nest Peninsula from development. There is development there now. There are houses in that district. So how do you permanently protect the entire Peninsula when part of the Peninsula already has development on it? We wrapped that around the actual wordology, not to degradate any protection but to delineate between developed areas and areas that haven't been developed yet still need to be preserved.

Ms. Kirkman: Oh, well, I'm so glad that you all are looking for solutions tonight because there is a ready one at hand for this. It's the model that the National U.S. Fish and Wildlife uses; I think national parks uses it as well. I think even some of the state parks have used it, which is you designate areas parkland and you don't prohibit development there but you designate its future use as park and as the opportunities become available to purchase those properties, you do so with the intent of it becoming parkland. So there are any models at the federal and state level that are already established for how to do this. So, I would recommend that we go back to the language of the "entire" Peninsula. And also I would like to ask the committee why you substantially reduced the area on Crow's Nest Peninsula that was designated as park land? The draft that went to the Board in 2008 included all of the area that the U.S. Fish and Wildlife Service had recommended be incorporated into a park there and a substantial amount of acreage was removed from that in this draft. I'd like to know what you're thinking was behind that. Much of it's undeveloped, by the way.

Mr. Zuraf: Just for clarification, that change actually was made on the 2009 version.

Mr. Howard: We just left it the same.

Mr. Zuraf: Yes. It was basically continued on from...

Ms. Kirkman: Right, but it was on the 2008 version.

Mr. Zuraf: Yes.

Mr. Howard: Yeah, there was no change made by this committee nor was there a plan. In fact, we did talk about designation of parks and could that actually qualify. We felt actually that policy 3.7.1, because it's within that same objective, really covers that.

Ms. Kirkman: I'm sorry, how does that cover protecting the entire Crow's Nest Peninsula? That was a very specific objective in the draft and I don't see how incorporate plans for natural areas and parks into the Parks and Recreation Master Plan gets at the specificity of protecting the entire Crown's Nest Peninsula.

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Mr. Howard: Well, it's protecting the areas designated on the Land Use Map, which the Crow's Nest Peninsula is designated on the Land Use Map.

Ms. Kirkman: Only a portion of it is now designated.

Mr. Howard: Right, but again, we were going off the latest draft, which was the 2009. If you have a desire to look at the 2008 and want to know what the differences are, we certainly can do that.

Ms. Kirkman: Yes, I can tell you right now what the differences were. The differences were the 2008 draft included everything but what we now refer to as Crow's Nest North, which has already been developed. It included everything that the U.S. Fish and Wildlife Service recommended be included in the boundaries of the park.

Mr. Howard: In that inclusion, because I remember citizens coming forward, their homes we were designating as parkland.

Ms. Kirkman: Actually, you're confusing that with the Widewater and the folks out there that want to develop Widewater properties.

Mr. Howard: Alright. So, I don't know... I mean, Mr. Zuraf, you can tell us what the difference is in terms of the acreage and what it was in the 2008 version to the current version?

Mr. Zuraf: Yeah, we can get that data.

Mr. Howard: Okay.

Ms. Kirkman: And my suggestion of changing the wording back to entire Crow's Nest Peninsula?

Mr. Hirons: Is that a motion?

Ms. Kirkman: Yes.

Mr. Fields: Second.

Mr. Howard: Any discussion?

Mr. Rhodes: Can we clarify what that covers then as was discussed by Mr. Mitchell on the developed areas that that would then include that could not be permanently protected? Or possibly (inaudible) the other information?

Mr. Howard: Yeah, I think we need the analysis. I agree with that. I'm not saying no but I'm not ready to say yes because I'm not sure I understand.

Mr. Rhodes: I mean, if we want to leave the motion on there, I'm just not comfortable voting favorably for that until I know the information that's in there.

Ms. Kirkman: Yes, I would like the vote called Mr. Chair.

Mr. Howard: Okay.

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Mr. Rhodes: Well, then, I don't know that I can support it because I don't know what that even pertains to. It's a motion on (inaudible)...

Mr. Howard: Hold on Mr. Rhodes. Ms. Kirkman, are you calling for the vote without further discussion, is that what you're doing?

Ms. Kirkman: No, I have not made a motion to end discussion.

Mr. Howard: Okay, thank you.

Mr. Fields: I think we're back to the 2008 boundaries; that's what the motion is if... that's what I'm seconding.

Ms. Kirkman: Sure. And Mr. Rhodes, perhaps... well, Mr. Chair, there are colleagues on the Planning Commission that were here when that 2008 draft was put forward. As I have previously stated, that draft, if you want to look at the current Land Use Map, it includes all the land all the way up to Brooke Road.

Mr. Rhodes: Mr. Chairman? Since I'm the colleague that was cited out there, yes I was here, and I would just like to be refreshed and have the detail of the information that we asked before we voted on this. Short of that, I wouldn't feel comfortable changing it because it has evolved and I think it would be smarter to get information before we vote on something. But certainly if we want to go forward we can do that.

Mr. Howard: Thank you. Any other discussion? Okay, we'll call for the vote. All those in favor of Ms. Kirkman's motion which is changing 3.7.2, the word "entire" is stricken; Ms. Kirkman's motion would add "entire" back into that section, signify by saying aye.

Mr. Fields: Aye.

Ms. Kirkman: Aye.

Mr. Howard: Opposed signify by saying no.

Mr. Rhodes: No.

Mrs. Hazard: No.

Mr. Mitchell: No.

Mr. Hirons: No.

Mr. Howard: No. The motion does not pass and I would indicate that we can absolutely bring that motion up again once we understand the details. So, Mr. Zuraf, if you can bring that back to our next meeting so we can understand that and perhaps at that time someone will make it another motion. Okay, were there any other comments or questions?

Ms. Kirkman: Well, Mr. Chair, while we're in this section of the Comprehensive Plan, if you just move right on over to the next page about health, safety and welfare, there are a number of paragraphs

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that were stricken from this. They all included sentences about referring to the increasing urbanization of Stafford County and I'm just wondering why the subcommittee was thinking that we no longer need to talk about the increasing urbanization of Stafford County?

Mr. Howard: Well, can you point out specifically what you're referring to because that is actually wording in there that does talk about the urbanization.

Ms. Kirkman: Yeah, so one of the sentences that was stricken was the sentence that says "as Stafford becomes increasingly urbanized, there is less capacity among the citizenry to sustain basic needs during natural or manmade crises".

Mr. Howard: And your question on that sentence is what?

Ms. Kirkman: Is why did the committee strike that?

Mr. Hirons: I believe part of the discussion around that specific sentence was where's the justification for it; is there any truth to that sentence.

Ms. Kirkman: Well, actually, Mr. Chair, if I could defer to Mr. Fields, he represented the district that actually used to have a number of working farms in the County. And would you like to speak to that?

Mr. Fields: I'm sorry; you caught me off guard. Restate the question for me.

Mr. Howard: What Ms. Kirkman is saying, on 2-19 the first sentence that she mentioned was "as Stafford becomes increasingly urbanized, there is less capacity among the citizenry to sustain basic needs during natural or man-made crises". And her comment was, why was it taken out. Mr. Hirons indicated that he wasn't sure that that statement could actually be truthful in terms of remaining in the Comp Plan. So, I don't know, Mr. Hirons, if you want to elaborate because I think you're talking about that whole... there are three sentences there that I think you're referring to.

Mr. Hirons: I apologize. I didn't bring my red line copy with me so I don't see the actual changes.

Mr. Howard: So, it says... I'll read the whole thing. It says "as Stafford becomes increasingly urbanized, there is less capacity among the citizenry to sustain basic needs during natural or man-made crises. In the short-term, extended disruptions to food, water or fuel supplies are possible, as seen during Hurricane Isabel. In the long-term, there are numerous threats to food, water and fuel supplies". So, it sounds nice but I'm not sure we understood the meaning of it. I'm not sure it does anything for the citizens of Stafford other than to say we will have hurricanes, which I think we know that.

Mr. Fields: Well, I guess I don't see the difference between what was struck out and what was replaced in terms of essentially... I mean, I'm not really I understand the nuance there to be honest with you, other than to strike out... I mean, this is really one of many examples that I suppose just simply reflect a philosophical difference in how to approach the language of a Comp Plan. But it's one of numerous examples, I've noticed, where any reference to the idea that the land use pattern of the development of Stafford over the last twenty years is in any way negative or dysfunctional or unsustainable. That's been eliminated almost in many, many locations, and this is maybe just yet another example of where the notion of increasing urbanization as a challenge to the County has been eliminated as part of the language. And I suppose that just reflects a difference in philosophy. I would maintain that that's the primary challenge of Stafford, is how to deal with what's happened from a land

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use perspective over the last twenty years. That's all I can think of, but I don't know... I don't really have a comment other than that.

Mr. Howard: Okay. Well, for those of you who might be listening, the added language is the following: "Stafford must be mindful of its ability to sustain basic needs during short term natural events, as well as in the long term. In the short term, emergency preparedness will allow residents to better deal with disruptions to food, water, power, and fuel supplies, as seen during past hurricane or major snow events. In the long term, the County shall be mindful of its water resources, to ensure land use practices do not impact surface and groundwater reserves". That's what was added. So, I agree with Mr. Fields; I'm not sure there's a huge difference between the two.

Mr. Hirons: Mr. Chairman?

Mr. Fields: (Inaudible) urbanization I notice has been struck out (inaudible).

Mr. Howard: Right, I was going to say other than urbanization maybe is what's different. Yes Mr. Hirons.

Mr. Hirons: I think you're essentially right. This is really just edits that were made and apparently the original authors may not be happy with the edits that were made, but that's kind of the life of a developing document. I believe when some of the discussion around this particular chapter and some of the requests for rewrites and edits were because when we originally read it, it really threw out a negative tone and a negative tone towards Stafford County. I think the purpose of the Comprehensive Plan is to be fairly positive in a certain sense and definitely positive about the future of Stafford County. So, I think that partially of what may have happened here is we were looking to change just the simple tone. It does essentially say the same thing but in a better more positive tone.

Mr. Howard: Okay.

Ms. Kirkman: Well, Mr. Chair, I would present that really this is not a matter of happiness or unhappiness, but it really does have to do with, as my colleague, Mr. Fields, stated, a basic orientation to the land use process. And the document, before all the references to urbanization were struck, really pointed out the various threats to health, safety and welfare that increasing urbanization brings. And I do believe the citizenry deserves a realistic assessment of what those threats are. But, clearly that's not the wish of the majority and that's fine; that's how it goes.

Mr. Howard: Well, I'm not sure that's accurate, Ms. Kirkman, because I'm not sure that we understand if residents locate nearer to these areas that it's going to threaten their safety and well being. I think that that's not clear. That's why that was removed because it's not evident within the wording, so to have something in there that would suggest that residents that locate near areas where there's been disruption of food, power and water in the past because of some type of a storm or some element of nature coming through, I'm not sure that's been accurate. I think the County's done a great job responding and doing all the things it can do with the resources it has, over the last ten years anyway. I'm not sure before that but... I know you want to comment, so go ahead.

Ms. Kirkman: No.

Mr. Howard: Okay.

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Mr. Mitchell: Mr. Chairman? The night we were talking about this particular paragraph, I personally thought that the hurricane was a singular issue. I thought it was a poor example because there could be ten examples if you wanted to sit down and try to work them up. Then, in the long run, we always face a long run shortage of food. Many nations today are starving to death. You can look at the Sudan and Africa, Ethiopia, places like that where food is a premium. We think of food as stopping at the local grocery store on the way home. But what we looked at, and what I was looking at, I thought that the short term disruption... a short term is a short term disruption even if it was a tornado, if it was a hurricane, it could be a one or two day disruption. The increasing urbanization and a short term shortage are two different things. And that's one of the reasons I was very comfortable striking out that first paragraph.

Ms. Kirkman: Mr. Chair, if my colleague's only objection to this is the fact that Hurricane Isabelle was used in the example, I'd be perfectly happy with restoring the original language with the exception of that phrase.

Mr. Howard: Okay.

Mr. Mitchell: Mr. Chairman? Forgive me for commenting again. Like Mr. Hirons had said, when we read this, I personally thought it was a negative statement. A Comprehensive Plan should not issue doom and gloom, and by no means should it paint the rosy picture. But the basic sentence here was such a negative that we felt that the negative needed to be pulled out. I'm not saying everything has to be sunshine but I am saying that negative statements like this were detrimental to it.

Mr. Howard: Okay. Just so everyone can understand, there's a sentence in there, and I think I read it before, I'll just say it again, it says "in the long term, there are numerous threats to food, water and fuel supplies". And again it's denoting that because of the increase in urbanization which, again, I'm not sure is a factual statement. So, one of the goals was to make sure people knew certainly there's risks with natural elements that come through and we have to be mindful as a County to make sure that we have the basic ability to sustain ourselves, whether it's food, water, shelter, and so on and so forth. That's still in this document so those of you at home, we are very concerned about the health, safety and welfare of the residents of Stafford County, as was the prior group tonight. I just think it's... some of it's semantics with words. Okay.

Mrs. Hazard: Mr. Chairman, going back to Mr. Fields' point... I'm sorry to go backwards... about supporting education programs and that, if there is a feeling among the Planning Commission that we would want to put that as a policy...

Mr. Howard: Where would you add that?

Mrs. Hazard: I would put it at Policy 3.1.3, something along the lines the County should encourage and support community education programs to educate the public and businesses about green programs, federal and state environmental mandates and requirements, or something along that line especially in the upcoming time of these Chesapeake... there's going to be a lot of education (inaudible).

Mr. Howard: You know what? It never hurts to educate anyone.

Mrs. Hazard: Something along that line. I'm not sure; I don't know if that at least covers some of what Mr. Fields was trying to get at.

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Mr. Fields: I think that's a good start; sure, absolutely. I think addressing that... and again, we're talking about the difference between the Comp Plan and implementation and certainly you don't want to drill into too much detail on a Comp Plan. But, just like when we're setting over our goals and acknowledging our responsibility to educate people to be environmentally responsible I think is a worthwhile (inaudible).

Mr. Howard: But also I thought your point was a good one on who knew what a watershed was and who didn't.

Mr. Fields: Well, you know, if only one in 300 people know what a watershed it, we have big problems.

Mr. Howard: Yeah, that's a problem. So, I agree and I think that would just make sense in my perspective. Are you making a motion, I guess, is how I would ask?

Mr. Fields: Well, we can make it a motion if we want to. Sure, I'll motion to add the language as articulated by Mrs. Hazard to the Comp Plan.

Mr. Howard: Is there a second?

Mrs. Hazard: Second.

Mr. Howard: Any discussion?

Mr. Hirons: Can we get the actual language of it again?

Mr. Howard: Yeah. Mrs. Hazard, would you please read the language again? So Stacie can capture this.

Mrs. Hazard: I'll read it and you can always enhance.

Mr. Fields: We're talking about Objective 3.1, page 2-14.

Mr. Howard: Right; 3.1.3 would be added to Objective 3.1.

Mrs. Hazard: Correct. Stafford County should encourage and support community education programs to educate the public, its citizens, businesses about green programs, federal and state environmental mandates and requirements, as a start.

Mr. Fields: That's good, thank you.

Mr. Howard: Yeah, that was good. Okay. We have all night. I'm not going anywhere. So, any other comments, questions?

Mr. Fields: Well, do we want to vote on that motion?

Mr. Howard: Oh, very good. So any discussion actually; we're in discussion. Any discussion? That's what I was discussing; we have all night. Alright, we'll call for the vote.

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Mr. Hirons: I'm sorry Mrs. Hazard. Can you read just the first sentence again? Here's my concern. My concern is I do not want the County to be encouraged or looking at, end up within the implementation plan of this thing, to incur costs to educate the citizens on these regulations. However, I think is what the first sentence said something along the lines "encourage..."

Mr. Howard: Encourage and support.

Mrs. Hazard: Encourage and support community education programs which doesn't necessarily certainly mean...

Mr. Hirons: Provided by community organizations is what I'm looking for that are not government funded organizations. They're organizations that may come in here, Sierra Club, National Wildlife Foundation, those types of organizations to encourage them to get out and educate the citizens and do what we can as long as the County is not incurring costs.

Mr. Fields: Well, there's processes though where in the act of interacting with the County, if you're interacting with Planning or Code or even when we distribute information in general on the website, there's a wide range of things the County can do that doesn't directly incur a cost. But if it's an articulated policy it becomes part of the process of the County so that the education process is more clearly articulated as the way in which County staff, wherever environmental issues... wherever the citizen interacts with the County on environment issues the County staff, like most of many of them are and do a great job already, but encourage and make this official policy that we need to work to educate the citizens through that interaction. That doesn't necessarily cost the County anything, but it does involve the County; it makes the County take some ownership and responsibility for that educational process, which actually is important to me in this. It's not just to say that we're happy if somebody else educates the citizen. I think if we're going to ask for voluntary... if we're going to say I think it's a reasonable compromise to say if we don't feel or if the majority doesn't feel that regulatory actions on the part of the County are appropriate for environmental, I think it's the least we can do to take some responsibility for educating voluntary compliance with those goals.

Mr. Rhodes: Mr. Chairman, I think the language as it stands gives the flexibility to support what Mr. Hirons was describing, but also gives the flexibility as Mr. Fields stated to allow the County to reinforce that in the venues and opportunities that may exist already that wouldn't necessarily incur additional costs. And, quite frankly, if the County finds it in its best benefit to actually put on symposiums or forums or something that might cost them but they find that it's in the best interest in the long run, it gives them that flexibility as well. So, it's kind of consistent with all the approaches that might be desired by the County.

Mr. Howard: I think you're right, Mr. Rhodes. As Mrs. Hazard was reading and Mr. Fields was articulating his thoughts, and Mr. Hirons, I thought of things like we have National Night coming up in August and the Stafford County Sheriff's Department is all over the place in terms of being out in the community and there's a lot of feet on the street that night, County resources. That's a night where you could actually, in these communities that participate in that, there's typically a big event where lots of the community comes out. And there's nothing to say that the County, at some point, couldn't provide some type of educational material just so everyone understood what could they do differently, you know, going forward to help impact the environment and improve the quality of water, if that was the focus or having them understand what the watershed is and how the water filtration systems work within the County. And even things as simple as what not to throw out in the County sewer system, like motor oil and those types of things. But some type of education where people understood that.

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That's how I was envisioning that. And I also understand, Mr. Hirons; you're right. If you can involve the Sierra Club or some other environmental group and give them an audience; there's other events that take place in the County. Different magisterial districts have... there's a Falmouth Day, there's a Hartwood Day... you know, could you leverage those venues also and invite those groups to come and participate and educate. I think it makes sense. I like having it on the radar screen. Where it evolves and what it morphs into, I'm not sure, but it does make sense to have it on the radar screen.

Mr. Fields: If I could also add, it would take us back to a couple previous meetings where we had a presentation on the TMDLs. I would remind us that as everybody has known for a better part of a decade, I mean, the less that we do on our own to solve that problem, the more the feds will tell us exactly what to do. And believe me, when they decide to tell you exactly what to do, they tell you exactly what to do and there's no wiggle room on it. They're the feds; that's what they do. So, as we approach this evaluation, as we got a response, it's a continuing evaluation. What is your county doing to achieve the goals of the Chesapeake Bay Act and here's the scorecard or however they decide to do it, the idea that we are proactively encouraging voluntary programs as part of County policy, as well as encouraging citizen things, we'll certainly act accrue to our favor. Not articulating that, that could very well accrue to our negative rating and force more federal rating... we could stave off some level of federal regulation by being more focused on what it is that we're doing, if we choose to do voluntary compliance.

Mr. Howard: Another good point about adding that. Any other discussion?

Mr. Hirons: At any rate, I won't be supporting this because I do think government funded education programs like this are step one in regulation and number two, it's not specified enough for me to say it won't incur County costs as some point in the future, possibly the distant future, but maybe near future.

Mr. Howard: Any other discussion? Mr. Mitchell?

Mr. Mitchell: Mr. Chairman, I will be supporting this add-on to the degree that it does give us the flexibility, like Mr. Rhodes very aptly stated, it gives us the flexibility to present different facets of education and even have volunteer groups present education and to have the County present education. So it gives us the flexibility that we need rather than tying us down to a mandatory effort.

Mr. Howard: Any other comments? Hearing none, I will call for the vote. All those in favor or the motion before us signify by saying aye.

Mr. Rhodes: Aye.

Mrs. Hazard: Aye.

Mr. Fields: Aye.

Mr. Mitchell: Aye.

Ms. Kirkman: Aye.

Mr. Howard: Aye. Opposed?

Mr. Hirons: No.

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Mr. Howard: The motion carries 6 to 1. Thank you; that was a good discussion. Mr. Zuraf?

Mr. Zuraf: While we're here in this area of the Plan, there was an earlier discussion on Policy 3.1.1 where there was talk of deleting voluntary...

Mr. Howard: We took out the word upon and turned that to on, and then we removed the word voluntary. And we didn't need a motion, we didn't have a motion; I guess we could...

Mr. Zuraf: Yeah, because there was no motion and discussion there I just wanted to make sure I should be making that change.

Mr. Howard: Would anyone like to make a motion?

Mr. Rhodes: So moved.

Ms. Kirkman: Does that also apply to the next policy as well which uses nearly identical language when saying will be implemented only through voluntary measures?

Mr. Fields: Mr. Chairman, I don't want to be too technical here but I do, with all due respect to my good friend Mr. Rhodes and the ongoing debate between should and shall, once again, to me we have, and this is not really with any agenda other than just clarification, I'm not trying to create a different outcome one way or the other here other than from a word standpoint I'm a little concerned about should only be implemented through sounds sort of exclusionary but the should word instead of shall, again, I would imply that implies that there are some situations where they can't be implemented through voluntary measures and non-voluntary measures have to carry the day. If you want to say only through involuntary measures, I would submit that you have to say shall. If you don't want to be that specific, then I would say you kind of almost have to leave that paragraph out. I see a contradiction in should and only be implemented through.

Mr. Howard: Yeah, the word could actually be could. But can we do this? Let's do it one at a time to Ms. Kirkman's point. Can we do 3.1.1, someone make a motion for that one change and then let's go to the policy as the next...

Mr. Rhodes: So moved where it will state emphasis should be placed on incentive based measures.

Mr. Mitchell: Second.

Mr. Howard: Any discussion? All those in favor signify by saying aye.

Mr. Rhodes: Aye.

Mrs. Hazard: Aye.

Mr. Fields: Aye.

Mr. Mitchell: Aye.

Ms. Kirkman: Aye.

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Mr. Hirons: Aye.

Mr. Howard: Aye. Those opposed nay? The motion carries 7-0. Okay, now we can go to 3.1.2.

Mr. Rhodes: I would just say that in the course of this discussion, I've further found myself not sure I understand why we even need 3.1.2 to be honest.

Mr. Fields: It seems to be redundant to the previous...

Mr. Howard: Not to mention repetitive.

Mr. Rhodes: Yeah. I mean, the comments cited but then also I don't... the 3.1.1 seems to have it there.

Mr. Fields: And then the new paragraph on environmental measures sort of amplifies the spirit of alternatives to regulation.

Mr. Rhodes: Right.

Ms. Kirkman: I make a motion to delete what is currently Policy 3.1.2.

Mr. Howard: Is there a second?

Mr. Fields: Second.

Mr. Howard: Any discussion?

Mr. Hirons: Again, I don't agree with this. It's a policy. The above-line is the goal and how do we reach that goal is through this policy of the policy should be implemented through voluntary measures. So I will not support this motion.

Mr. Howard: Okay, any other discussion? Hearing none I will call for the vote. All those in favor of the motion before us which is to delete from the document known to us today which is on page 2-14, 3.1.2, signify by saying aye.

Mr. Rhodes: Aye.

Mr. Fields: Aye.

Mr. Mitchell: Aye.

Ms. Kirkman: Aye.

Mr. Howard: Aye. Opposed?

Mrs. Hazard: Nay.

Mr. Hirons: No.

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Mr. Howard: The motion carries 5 to 2. And it's not the normal 5 to 2; how about that.

Mrs. Hazard: And I would, Mr. Chairman, say that we should, based on our prior motion of adding 3.1.3, we will now be adding 3.1.2; just a point of clarification.

Mr. Howard: Right, well, let's make a motion to change that number to 3.1.2.

Mr. Fields: So moved.

Ms. Kirkman: Mr. Chair, point of order. Do we really have to make motions about numbering? Can't we just leave that up to staff?

Mr. Howard: Well, I would agree with that but as long as there's the friendly conversation on this one, we'll leave it as is.

Ms. Kirkman: Well, while we're on this section, under the objective regarding preserving and approving air quality, I would like to know what the committee's thinking was in removing policy 3.1.5 which states development proposals that are projected to cause a substantial increase in auto related air pollutants should provide a transportation management strategy which minimizes dependents on single occupant automobiles.

Mr. Howard: I'll give anyone, including Mr. Mitchell, the opportunity to answer that one. I have my own thoughts as I recall when that was changed, but I'll let someone else answer that... if they want to.

Mr. Hirons: I think Mrs. Hazard might have her hand on the mic. I just don't recall the specific discussion.

Mr. Howard: Go ahead Mrs. Hazard. Thank you.

Mrs. Hazard: I believe that the discussion surrounded what really we were asking the proposal to provide with this transportation management strategy minimizing a dependence of whether that became a requirement and what kind of monitoring that would take afterwards. If we just get a proposal, how much follow-up do we have really either to implement that or... I think we just found that it was vague and we weren't sure what type of requirement we were adding and not to say that it wasn't something to think about, but in this venue we thought it was vague on what we were requiring at that point I believe was the discussion.

Mr. Howard: Yeah, my recall was how would you monitor it and what does it actually look like. So, what does that mean? I don't know that I understood. I understand the desire to reduce single occupant automobiles but what I didn't understand is how do you actually accomplish that within a development proposal. I think, if it's a development that's going up, there are certain requirements today for parking and transportation analysis and impact studies. So, I recognize this is specifically about air quality which is slightly different, but I wasn't sure I understood how this could be enforced and what exactly we were asking for.

Mr. Mitchell: Mr. Chairman, the night we were looking at that particular policy, I remember distinctly stating that there are different air monitors throughout Stafford County that are checking the air at all times. Pete remembers when they were put in many years ago. Not all the pollution involved and not all the pollution measured comes specifically from Stafford cars. A lot of it comes from west of here.

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There's a natural flow of air from Indiana, Ohio, those states and it flows this way. That's why it rains in California then it rains in Oklahoma then it rains in Virginia; it's due to air patterns. We are suffering sometimes high pollution ratings because of other states' pollution coming our way. If we were on the obverse side, we would not have as much of a problem. But the night we read it I know we specifically thought it was vague, that it didn't really present a comprehensive point and it doesn't have a good measurement because the measurements we have are not good because they are measuring a car that leaves New York State drives to Florida, drives through Stafford County, could cause pollution. So that measurement could be added to an area because of numerous cars on Labor Day, Fourth of July or Thanksgiving driving down the 95 corridor.

Mr. Howard: Let me ask a question. Would preserving and improving air quality, would we be better off thinking through some type of... I don't know how you make it a policy because the goal clearly, the objective rather, is the preservation of air quality and improving it, if possible. So, is there something that we could put in there that encourages, I hate to say the Fred bus but some type of mass transit or some other mode, because I understand the spirit and I actually appreciate that but I'm not sure we have the infrastructure... I didn't know what this looked like or how it would be measured.

Ms. Kirkman: Well, I'd be glad to clarify what the thinking behind this was and I do want to point out I think it is unfair to characterize this as vague. It is a policy and not an implementation and it's certainly at the same level as many other policies in this document. While I appreciate your suggestion, Mr. Chair, I think that's already covered under Policy 3.2. And, in fact, this was looking specifically at auto related air pollutants. All you have to do is pick up any CMAQ document which, Mr. Mitchell, I know you're familiar with, to find out the definition of those. And while there are any number of implementation strategies, we have an enforcement mechanism which presumably development proposals would come in under some kind of rezoning and with that you would have proffers and those proffers are monitored through the Department of Planning and Zoning, as are any other proffers. So the proffers might look like if you have a development proposal that has a hundred residential units, single-family home residential units which generates a thousand car trips, each of those car trips is associated with a certain amount of generation of air pollutants through auto emissions, well, you reduce those... the developer agrees to reduce those in any number of ways. One of those could be voluntary covenants about how many cars each household would maintain. It would also be the provision of things like shuttle buses. So, I think there are any number of ways, specific ways, through the implementation plan to address this. But, again, I... you know.

Mr. Rhodes: Mr. Chairman? Given that further explanation of what's behind there, I still don't really know how one declares a measurement on substantial. But, nonetheless, given the different range of developments that we have from very small to even larger, the ability for many of those to have a direct measurable impact on this I think is probably quite challenging. The intent behind the other policies associates with this I think have merit. It just seems hard in the application there, it really didn't talk about proffers; it talked about the transportation management strategy. And I'm not sure how some of the smaller developments really have an impact there in a means that you can really implement. So I still find it problematic. Thank you.

Mr. Howard: Thank you. Okay. Mr. Mitchell?

Mr. Mitchell: Mr. Chairman, I think trying to sit here tonight and hammer one or two or three sentences out of what was former policy 3.1.5, I think if we could have something drafted up and brought back at the next meeting that would have more ability. If we could ask the staff to see what

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the parameters could be and bring something back to us rather than sit here for the next thirty minutes (inaudible).

Mr. Howard: That's a good point. I'll defer to the will of the Commission, but I have to tell you philosophically, I'm not in favor of limiting the number of vehicles somebody can own at any time as long as I'm alive in the United States of America. So, that ain't happening. Well, we can talk about it. I don't think we do either but I don't know. Mr. Fields' microphone is off but he wasn't sure if we had the authority to do that. I don't know; just philosophically that explanation scared me and I wouldn't support that anyway. But we can ask staff to do that.

Mrs. Baker: Can you clarify exactly what...

Mr. Howard: Well, I think what Mr. Mitchell is suggesting is if staff can come back with a version of 3.1.5 that is something that is not as far reaching and broad as this policy appears to be to some of us on the Commission, where there's a little more detail on how would you regulate that if Ms. Kirkman is correct and you would go through proffers or should that be worded in there. So, is there some version... and I'm not sure, Mr. Zuraf, if you want to work with Ms. Kirkman on that and get a suggestion from her or how you want to do that.

Mr. Zuraf: Kind of provide like a laundry list of possible traffic management solutions and alternatives.

Mr. Howard: That's fine.

Mr. Fields: And I might add, Mr. Chairman, that I think it seems one of the sticking points that if it's possible to just sort of, and again this is just general in nature, to hint at some threshold for where this is applicable or not applicable.

Mr. Howard: That makes sense.

Mr. Fields: Mr. Rhodes point is germane...

Ms. Kirkman: You could put some kind of threshold size on the number of units or the commercial square footage.

Mr. Howard: Right.

Mr. Fields: Right. You don't want a three unit family subdivision to carry the burden of that but you certainly want a thousand unit subdivision to.

Ms. Kirkman: Right. Well, I would have to tell you, I would not think a three family subdivision unit, unless there's like fifty cars per unit, is going to have a substantial impact.

Mr. Howard: Could be. They could have a big family.

Mr. Fields: This is America; they can have as many cars as they want.

Mr. Howard: Well, that was good. Okay. Any other comments this evening? Remember, we're coming back... when is the next meeting?

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Mr. Zuraf: August 18th.

Mr. Howard: And Mrs. Baker, how much is on the agenda?

Mrs. Baker: We have a quite lengthy agenda on August 18th. We have five to seven public hearings, three of those are related to one case, two are related to another case, and we have several holdover items for the Unfinished Business.

Mr. Howard: I still there's a desire to have this... it will be a long night I guess.

Mr. Rhodes: And, Mr. Chairman, just to remind, the process that evening will be to end at midnight and start back at 12:01.

Mr. Howard: If need be.

Mr. Fields: We probably have some continued items that aren't running up against the deadline though, right? I mean, if we could defer some things that are deferred to the 18th that could go to September; if we had to.

Mr. Howard: I think there are a few. There are a few we have to react to now.

Mr. Fields: But I think some things don't have a time limit.

Ms. Kirkman: Mr. Chair, I do have one other item I want to raise. And that's regarding Policy 4.8.4 and this came out of... in fact, I can't remember if this was an actual recommendation from the, in the encroachment control plan for Quantico or not, but previously this policy said amend the Military Facility Impact Overlay District Ordinance to require a noise disclosure document.

Mr. Howard: What page are you on Ms. Kirkman?

Mr. Mitchell: 2-25.

Ms. Kirkman: But that's of the crossed-out... do you have the crossed-out?

Mr. Howard: Yes; 2-25? Perfect, thank you.

Ms. Kirkman: So, previously this policy was to amend our existing ordinance on the Military Facility Impact Overlay District to require a noise disclosure document for potential purchasers and leasers within that Overlay District. This language has now been changed to eliminate the requirement for a noise disclosure document and, instead, encourage real estate agents and property managers to educate. And really, what this does is instead of following the recommendations in the encroachment control plan seems to simply rely on the industry which hasn't worked too well in a number of situations.

Mr. Howard: Which... can you just point out the number again? I just got to the page.

Ms. Kirkman: It's 4.8.4.

Mr. Howard: Okay, thank you.

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Mr. Fields: I would raise the question... certainly in agreement I'd prefer the other wording... I would raise the question was that a question of legal authority to make that requirement or is that something we simply don't have the authority to do? Is that why that was changed?

Mr. Howard: That was our thoughts and I'm not sure if we checked with the County Attorney to be honest with you. I don't know if we asked.

Mr. Fields: Do we know that?

Mrs. Hazard: I think we had raised it and I believe that what had come back was that there was some concern about that, but we can certainly (inaudible) to legal for that. I do know that we asked that question, having been involved in a situation where many purchasers found out things on their property that they didn't know were on there. I do feel fairly strongly about that but we have to be able to implement it and have legal authority to do it. Policy 4.8.4? Thank you.

Mr. Fields: Can we get an answer on that?

Mr. Howard: So, Mr. Smith, could you, for the next meeting at least, research 4.8.4 and find out if the County legally could require a noise disclosure document to be given to potential purchasers and leasers within the district of the military operation impacts. And we do have that designated on one of the maps, but can the County legally require, I guess, a real estate agent and/or office or even an individual home buyer at that point I suppose we're talking about... anyone selling real estate... can we require that? In other words, the goal was a good goad to make sure you knew what you were purchasing and what the potential impacts to your environment will be once you buy the home and/or property. So that makes a lot of sense. But is that something that we're allowed to legally mandate?

Ms. Kirkman: Yeah, that's a good point.

Mr. Smith: I'll look into that and bring back a response at the next meeting.

Ms. Kirkman: Thank you.

Mr. Howard: Great. Thank you Ms. Kirkman. Anything else?

Mr. Rhodes: Mr. Chairman, just looking at the agenda based on the earlier comment about what is due when, unfinished business, as we look at our agenda, and the Conditional Use Permit for Stafford Lakes Service Center, that has a time limit of September 14 but we've been working on that one a while and brought them back several times. The Rappahannock River Overlay District and Potomac River Overlay District both have a time limit of October 6; there's some time with that. Discussion of medical and dental clinics definitions which we've met on several times has a time limit of September 15 which means I think we'll have two more meeting opportunities because I think (inaudible)...

Mr. Howard: Right, at least one more so that can be deferred.

Mr. Rhodes: Redevelopment Area Plans Boswell Corner, that's kind of...

Mr. Howard: Mr. Fields and Mr. Hirons were just given something tonight so...

Mr. Fields: Mrs. Baker gave us a document to review (inaudible).

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Mr. Rhodes: But that doesn't have... I was just looking at the ones with a deadline. Reservoir Protection Overlay District, that's just when we were going to bring it back I think but it didn't have a set time. Miracle Valley Lane Sanitary... oh, that one was I think deferred to even after that. So, really there's...

Mr. Howard: Well, then there's the five public hearings. So that will be added, the ones that Mrs. Baker told us.

Mrs. Baker: The public hearings? We have two that are on a communications tower; those are the same project but there's a Comp Plan and a CUP. Three related public hearings on the Fairfield Inn which is located up here on Route 1. It's again a Comp Plan Compliance, a rezoning and a CUP, so those are really combined. And then we do have two public hearings which you all authorized for Zoning Ordinances; the security and the immediate family member. But we're not sure on time limits on those, whether those could be deferred to your next meeting. We can check on that.

Mr. Howard: But they're scheduled public hearings right?

Mrs. Baker: You all authorized the public hearing.

Mr. Rhodes: So, given all those, I think the maximum we were comfortable that it wouldn't unfairly penalize somebody on this unfinished business, that might be where we target efforts to make sure we have time to discuss (inaudible).

Mr. Howard: Well, I think we're agreeing that we should take up the Comp Plan after the unfinished business is resolved and/or deferred, right? Mr. Rhodes, is that what you're suggesting?

Mr. Rhodes: I just was wondering if we wanted to consider, yeah, shifting some of these unfinished business.

Ms. Kirkman: Mr. Chair, I heard something a little different; you were talking about the timing of the discussion and I think my colleague was talking about perhaps making now a decision to move some of the unfinished items to a later date. Is that correct?

Mr. Rhodes: To September 1st I think it is, is the first hearing in September. I didn't know if anybody wanted to entertain that if we felt like it would be necessary to ensure we had the time available for the discussion.

Mr. Howard: Just going through the rules in my head here, actually we could do that because it was a posted document. Even though it had a different date we would be okay with that. If someone wants to make a motion to defer one or two of these, that would be fine.

Mr. Hirons: Mr. Chairman, I think we can probably defer the Stafford Lakes Service Center because the time limit is on until September 14th. Mr. Leming had been in touch with me about their process they are planning on going through. It looks like they may actually change their process. I don't know if staff's been contacted yet to appeal the, I guess the judgment of the Zoning Director.

Mr. Howard: Well, we'll have one more meeting where it would have to be disposed of. If that's your will and desire and if you want to make a motion, we'll see if it gets second.

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Mr. Hirons: Yeah, that's what I'd like to do is move to defer the CUP2900195, Stafford Lakes Service Center, until the first meeting in September.

Mr. Howard: Is there a second?

Mr. Rhodes: Second.

Mr. Howard: Any discussion? All those in favor signify by saying aye.

Mr. Rhodes: Aye.

Mrs. Hazard: Aye.

Mr. Fields: Aye.

Mr. Mitchell: Aye.

Ms. Kirkman: Aye.

Mr. Hirons: Aye.

Mr. Howard: Aye. Opposed? The motion carries 7-0.

Mr. Fields: I'll make a motion on the number 3, Rappahannock River Overlay Protection District; we have till October 6th.

Mr. Howard: Right.

Mr. Mitchell: Second.

Mr. Rhodes: Second. Oh, you beat me.

Mr. Howard: Discussion?

Mr. Fields: Obviously we're going to push these back at least one meeting and see where it goes from there, so that's September 1.

Mr. Howard: All those in favor signify by saying aye.

Mr. Rhodes: Aye.

Mrs. Hazard: Aye.

Mr. Fields: Aye.

Mr. Mitchell: Aye.

Mr. Hirons: Aye.

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Mr. Howard: Aye. Opposed?

Ms. Kirkman: Nay.

Mr. Howard: The motion carries 6 to 1.

Mr. Rhodes: Is there something driving medical and dental clinics definitions?

Mrs. Baker: Actually, I believe on that one that you all need to hold your public hearing and get it back by September 15th, so there was reason for that one to be on the August 18th agenda so that you could authorize your public hearing.

Mr. Rhodes: Okay.

Mrs. Baker: I think that one needs to stay.

Mr. Fields: Redevelopment we think we can dispose of quickly, so we don't need to move that. I think that will take a minimal amount of time.

Mr. Howard: Okay.

Mr. Rhodes: Okay. I'm not touching Reservoir Protection Overlay.

Mr. Howard: Well, if we're deferring the Rappahannock...

Mr. Rhodes: Do we want to take it to September 1st?

Mr. Howard: Or we can start working on it, it doesn't matter; either way.

Mr. Fields: What is it we're supposed to be doing on that?

Mr. Howard: I think we were tasked to... the Board sent it back to us with some specific guidance, but to also really rework it.

Mrs. Baker: The Reservoir Protection you all put on this meeting because it was in anticipation of waiting till more work was done on the Comp Plan so there's not a real reason that couldn't be deferred.

Mr. Howard: But the Board did send it back to us to, at some point, take up again and sort of redefine it was my understanding or my recollection of what we're supposed to do with that, that's why it's staying on the agenda.

Mrs. Baker: Right, after the Comp Plan is further along.

Mr. Howard: Okay. So, is there a...

Mr. Rhodes: I make a motion to defer to September 1st.

Mr. Mitchell: Second.

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Mr. Howard: Any discussion? Okay, all those in favor of deferring item 6 signify by saying aye.

Mr. Rhodes: Aye.

Mrs. Hazard: Aye.

Mr. Fields: Aye.

Mr. Mitchell: Aye.

Mr. Hirons: Aye.

Mr. Howard: Aye. Opposed?

Ms. Kirkman: Nay.

Mr. Howard: I think that was 6 to 1. Okay, the motion carries 6 to 1. And that's all we have to take care of. Good suggestion Mr. Rhodes; thank you.

Mr. Zuraf: And, Mr. Chairman, if I can remind the Commission about the Board's schedule and timeline with the Comp Plan. Their goal is to try to authorize a joint hearing in August at their August 17th meeting subject to the Planning Commission doing the same on August 18th. So, that's still the status as I'm aware. I'm not aware of any other change to that.

Mr. Fields: Are they talking about September 7 or the next one?

Mr. Zuraf: I'm thinking they're looking at the 21st of September.

Mrs. Baker: We don't have confirmation yet but everything's pointing to that based on the Steven Fuller study not coming back until the first part of September.

Mr. Howard: So, Mrs. Baker, they're trying to hold off the public hearing till the 26th?

Mrs. Baker: The 21st.

Mr. Howard: The 21st which is when the study would be available as well?

Mrs. Baker: It's anticipated the study would be done the first part of September.

Mr. Howard: And it would be available as far as we know at this moment for that same hearing?

Mrs. Baker: Prior to that hearing, hopefully.

Mr. Howard: Okay, good. Thank you Mr. Zuraf. And thank you staff and everyone. Okay, we have approval of minutes from June 2nd, 2010. Before we do that, Mrs. Baker, is there a Planning Director's Report?

PUBLIC HEARINGS

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None

PLANNING DIRECTOR'S REPORT

Mrs. Baker: No, I don't have one prepared.

COUNTY ATTORNEY'S REPORT

Mr. Howard: Thank you. County Attorney? Mr. Smith, welcome.

Mr. Smith: Thank you Mr. Chairman. I don't have a report.

COMMITTEE REPORTS

Mr. Howard: Okay. That's good by the way. Committee Reports? I know there's the Transportation Committee which I did an injustice to but we got a good report on the sidewalks at the last meeting; that was good. And the Comp Plan Committee, I think we had a fairly lengthy update on that. There is nothing for the Chairman's Report. Is there any other business anyone wants to advance? I will entertain a motion to approve the minutes for June 2nd, 2010.

CHAIRMAN'S REPORT

OTHER BUSINESS

APPROVAL OF MINUTES

June 2, 2010

Mr. Fields: So moved.

Mr. Howard: Second?

Mr. Mitchell: Second.

Mr. Howard: Okay, it was moved by Mr. Fields, seconded by Mr. Mitchell. Any discussion?

Mr. Rhodes: Mr. Chairman, I will abstain as I wasn't present. I did watch it on video but I don't feel appropriate to vote. Thank you.

Mr. Howard: Thank you.

Ms. Kirkman: And Mr. Chair, I'm going to abstain as well.

Mr. Howard: Is there a reason?

Ms. Kirkman: Yes there is. I didn't have time to read them.

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Mr. Howard: Oh, okay. So, we have two abstentions; one wasn't able to read it and the other one actually wasn't present during the meeting. I'll call for the vote. If there's no other discussion, all those in favor of approving the minutes of June 2nd, 2010, signify by saying aye.

Mrs. Hazard: Aye.

Mr. Fields: Aye.

Mr. Mitchell: Aye.

Mr. Hirons: Aye.

Mr. Howard: Aye. Opposed? There's none opposed but there are two abstentions so the motion carries 5 to 0 to 2. Having no other business before the Planning Commission this evening, I will actually adjourn the meeting. Thank you very much. Have a great evening. Drive Safely.

ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 9:26 p.m.

Gordon Howard, Chairman
Planning Commission